



**Report**  
**On the implementation of National Action**  
**Plan on Migration**

# **Report**

## **On the implementation of National Action Plan on Migration**

Prepared by the European Institute of Tirana  
in cooperation with the Albanian Government  
funded by Soros Foundation

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**Opinions expressed in this Report are those of the authors only.**

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## INTRODUCTION

1. Once it freed itself from a wild and isolated dictatorial system, Albania faced immediately with the problem of Migration, as it appeared at large size, mainly in emigration. It emerged abruptly in the beginning of '90, and it was present at extraordinary scale almost throughout that period, showing the entire complexity that characterizes this phenomenon; therefore it was swiftly translated into a very difficult challenge for the Albanian society and State.
2. The reasons for the birth of such phenomenon are already known, as well as the reasons why it continues to keep its presence at high levels. As a consequence, it is understandable that its treatment, although a top priority for all Albanian Governments, has never been at the level expected. Being a very complex phenomenon, and as such the response to it, it has never been easy for the country to cope with it.
3. Its impact in the life of the country, not only in its social, economic, cultural and political aspects, but also in the public order and security, is countless and diverse. Namely in the above-stated areas, the treatment of migration would require the preparation, and then the implementation of a number of particular reforms, as well as an organic correlation among them. Such reforms would call for the participation and involvement of many players, starting from the citizens up to the State and its institutions.
4. It is easy to understand that the presence of such phenomenon, and certainly the great size that characterizes it, has also direct impact in the relations of Albania with the countries highly affected by such phenomenon, mostly the European countries. The problem has been greater due to the fact that a considerable part of it has been a disorganized emigration, and therefore it has been difficult to control it.
5. For this reason, emigration has been and would remain one of the “hot” issues in the relations between Albania and the European Union. The latter, considering Albania as a priority country in combating the disorganized migration, has framed this issue as one of the most crucial problems in the Stabilization and Association process, which currently is in the stage of implementing the Stabilization and Association Agreement.
6. More or less those were the circumstances that led to the approval on 19 November 2004 by the Council of Ministers of the Republic of Albania (Decision No. 760 of the Council of Ministers) of the National Strategy on Migration, a document, which was materialized through the European Commission fund (CARDS Program 2001) and IOM technical and co-funding support.
7. The key objective of this strategic document is “to provide Albania with a more comprehensive policy on migration from one that has mainly reacted to combat

irregular flows to a more holistic policy based on the migration management ..., on linking the management of migration and the development of country of origin in line with the orientations of EU common integration policy “<sup>1</sup>

8. Planned to cover a five-year period i.e. until 2010, the implementation of the strategy would be materialized through the accomplishment of another important document approved by the Council of Ministers by the Decision no. 296, dated 6 June 2005. It is also drafted and prepared with the European Commission funds and IOM technical assistance. This document is the Action Plan on Migration, and stipulates 66 concrete measures, which should be put into action mainly by the Albanian Government, including other players involved in this process as well.
9. For all above-mentioned reasons, starting firstly with the nature of this phenomenon *per se*, we deal with a very complex sector. The strategy implies that the key success of its multidimensional interventions would be no doubt the coordination among the bodies and institutions of the Albanian Government, as well as between the latter and the civil society and international organizations and institutions, such as European Commission, IOM, UNDP, etc. etc.
10. Most of the measures stipulated in this Plan, and namely 63 of them, foresee activities and actions that should have been implemented within 2006, and the majority of them required a coordinated intervention/cooperation of more than one state institution.
11. With regard to above, the European Institute of Tirana, finding this national priority in full compliance with the priorities and objectives set in its Statute, appraising the importance of its treatment in line with the objectives of the European Union in general, and the European integration process of Albania in particular, having Soros Foundation support and finance, it decided to intervene and align as a new player in this process on implementing the National Strategy on Migration.
12. In full harmony with its program, and in compliance with the irreplaceable role of the civil society in a democratic country, this Institute will offer its contribution to the progress of this process through monitoring the implementation of Action

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<sup>1</sup> “National Strategy on Migration and the Action Plan on Migration: the road toward migration management” Tirana, July 2005, page 1

Plan on Migration for 2006 with the aim to support the Albanian Government, other institutions and different international with a key instrument, whose reading and using would help in better and accurate understanding of the situation and the status of implementation of this policy, difficulties encountered, eventual changes and orientations in the future ...



## **BRIEF HISTORY ON STRATEGY AND NATIONAL ACTION PLAN ON MIGRATION**

1. National Strategy on Migration is approved by the Decision of the Council of Ministers on 19 November 2004. This document is prepared by the Albanian Government with the European Commission funds, through CARDS Program 2001 and IOM technical and co-funding support.
2. The complexity of the migratory phenomenon required the coordination of many state institutions and bodies' commitment, and at the same time it was defined the nature of the strategic document, as a complex interdisciplinary strategy. The same working practice was applied while drawing up and preparing the National Action Plan, a document that through 66 measures would make possible the implementation of the relevant National Strategy.
3. On 30 December 2004, through the Decision No. 195 of the Council of Ministers, the Working Group to be involved in the preparation of this plan was established. Under the chairmanship of the Secretary General of the Council of Ministers, and consisting of representatives from the Ministry of Foreign Affairs, Ministry of Public Order, Ministry of Finance, Minister of European Integration, Ministry of Local Government and Decentralization, Ministry of Education and Science and the Ministry of Culture, Youth and Sports, such Working Group worked together for four-five months period.
4. In the end of its workings, the Working Group submitted for approval the draft-Action Plan on Migration, which was officially adopted by the Decision No.296 of the Council of Ministers on 6 May 2005. Commencing from its approval date, the implementation of this document would continue until 2010. At the same time, its implementation should have commenced as it set out in the measures 42, 39, and 38 respectively on May, June and July 2005.
5. The commencement of this implementation coincided with the beginning of the campaign for the general parliamentary elections of 3 July 2005. The impact of such event, as it has frequently happened in the history of post '90 Albania, among other issues, has not been positive in the implementation of this plan as well.
6. The results of those elections altered the positions and relations of powers in the Albanian political life: the majority and the opposition exchanged the places, and as a consequence the programs and objectives as well, although it should be accepted that the key pillars and priorities remained the same. One of those priorities, that did not change, was the governmental policy toward the migratory phenomenon. Hence, the new Government never expressed itself for any change, revision or abrogation of the key strategic documents in this area.

7. But, although the approach toward this phenomenon did not changed, the program of the new Government stipulated a number of reforms, which affected the governmental structure itself. Thus, in the framework of a small and dynamic government, a number of ministries would not exist any longer, but they would be attached to the others. Here, we can mention the merging of the Ministry of Public Order and the Ministry of Local Government and Decentralization into Ministry of Interior; merging of Ministry of Economy and Ministry of Industry and Energy into a Ministry of Economy, Commerce and Energy; merging of the Ministry of Transport and Telecommunications with the Ministry of Territory Planning and Tourism into the Ministry of Public Works, Transport and Telecommunications; and the joining of the Tourism with the former Ministry of Culture, Youth and Sports transforming them into a Ministry of Tourism, Culture, Youth and Sports. In this context, it was brought to end the Minister of State, which among others was charged with the coordination of the implementation of the Action Plan on Migration up to the establishment of the National Agency on Migration and Diaspora.
8. It is clear that this key reform was only the first ring of the chain of reforms, and of the detailed structural changes to follow it. The latter might have been classified as structural, functional and hierarchical changes, which were accompanied also with dismissal- somehow massive dismissals.
9. During this period a number of other structural changes were undertaken. As a result, the Department of Coordination in the Council of Ministers was empowered, as it would make possible the coordination of all existing sector and national strategies. It is this structure that follows and materializes the establishment of an integrated planning system.
10. In addition, on 5 April 2006 the Council of Ministers, through the Decision No.194, decided the “Establishment and functioning of the National Institute of Diaspora within the Ministry of Foreign Affairs”, which was an existing institute set up through the Decision No. 216, dated 14.1.1996 of the Council of Minister, replaced by the latest one. The making of this decision was envisaged in the measures 62, and 65 of the Action Plan on Migration, but totally different in terms of content.
11. In the said measures, it was stipulated the establishment and attachment to the office of the Council of Ministers of the National Agency on Migration and Diaspora, a structure which would have the policy-making, coordinating and monitoring competencies. In the latest decision, the National Institute of Diaspora was not a subordinate structure of the Prime Minister Office, but of the Ministry of the Foreign Affairs and its competencies are only in the framework of formulation of policies on migration, assessment of the compliance of different strategies with that on Migration, but it does not have any coordinating or monitoring competencies.

12. It should be pointed out also that only in the last days, i.e. approximately seven months following its establishment, this Institute undertook the initiative on establishing its Governing Board, stipulated in the clause 5 of the Decision No. 194 of the Council of Ministers.
13. In addition, a month after the issuance date of the Order No. 115, dated 11 May 2006, the Prime Minister decided for the “Establishing and functioning of the Inter-ministerial Committee on Migration”, a committee established earlier by the Order No. 151 dated 27 October 2003, but such order was rendered null and void. This Committee has mostly advising competencies to the Council of Ministers and Ministry responsible for coordinating the work and organizing the meetings is the Ministry of Labor, Social Affairs and Equal Opportunities.
14. It should be mentioned that the latest meeting of this Committee dates April-May 2005, at the time when the preliminary approval of the Action Plan on Migration took place. Being in force since that period, it has never convened despite the legal obligation to meet no less than once every six months.
15. It is important to emphasize that the Albanian Government, in all those reforms, is oriented through the objective to reduce the public expenditures, mainly the administrative ones.
16. More or less this was context where the National Strategy on Migration and the relevant Action Plan were prepared, approved and commenced its implementation. Monitoring of their implementation is the objective/scope of the experts’ work of the European Institute of Tirana, mostly with regard to those measures, whose activities had to be materialized within 2006 according to the plan.

## **INTRODUCTION TO THE PROJECT**

### **“Monitoring the Government Policy on Migration”**

#### **Donor: Soros Fondation**

1. One of the objectives set out in the Statute of European Institute of Tirana (EIT) is “carrying out of studies, researches, organizing of conferences, meetings and forums related to the economic, social, cultural, European issues, as well as those related to the integration of Albania into Europe”. No doubt the finalization of a study on the implementation of the policy on migration of the Albanian Government, in the perspective of Albania into Europe, is in full coherence with those objectives.
2. National Strategy on Migration, like many other strategic document of the Government is not a static document, but rather a dynamic one. As such, it needs a constant following-up and monitoring. For this reason, EIT is aware of the need for this project not to remain an isolated endeavor. Within its possibilities and/or with the support of other donors, it will continue to periodically follow-up and monitor the Government’s policy on migration.
3. Since 2002, the Albanian Government has foreseen the formulation of a National Strategy on Migration, a project that has been feasible to be implemented during the period 2004 - 2005 thanks to the European Commission funds (through CARDS Program) and the International Organization of Migration. On 19 November 2004, the Council of Ministers approved the National Strategy as a document including the sector’s policy. Whereas on 6 May 2005, through the Decision No.296, it approved a detailed action plan, which is a fruit of the cooperation among a number of ministries and institutions involved in the formulation of the policy of this sector.
4. The Action Plan covers mainly the reasons of migration, protection of Albanian emigrants abroad Albania, improvement of the consular services by the part of Albanian consulates and embassies; creation of Albanian communities abroad in the form of an organized Diaspora; organizing of an adequate policy on economic migration; development of a policy on return and readmission of the Albanian illegal emigrants and of the citizens of the third countries; and the development of the necessary legislative and institutional framework on its implementation in reality.
5. In total, the Action Plan includes 66 measures and presents the elements needed for the implementation of those measures in practice. Among the measures, it is also envisaged the establishment of a Governmental Agency connected directly to the Prime Minister’s Office, which will be tasked with migration-related issues in their wider meaning (emigration, immigration, Diaspora). Recently, due to the change of the power time ago, the temporary body/institution charged with this

task (Minister of State) does not exist any longer. No doubt, it has hurdled the carrying out of the measures in this plan, their coordination and the possibilities of the Government to timely react toward the eventual or effective delays in the implementation of this plan.

6. This project aims at verifying the implementation of the Albanian Government policy on migration (in two aspects that of emigration and immigration) through
  - Studying of current strategy on migration and its action plan;
  - Verifying the measures undertaken and their impact in this sector;
  - Verifying of delays with regard to the measures that should be undertaken and the reasons for those delays;
  - Analyzing the measures foreseen and the existing conditions for their implementation;
  - Preparing the conclusions and recommendations for the development of the policy on this sector.
7. The fundamental goal of the project is the strengthening of the Government's capacities to develop and implement the policy adopted for a better administration of the migratory phenomenon.
8. With regard to more specific objectives, we can mention
  - Establishing a full framework of the current Government's policy on migration.
  - Analyzing the results that such policy provides.
  - To offer to the Government an instrument to improve and actualize its policies.
9. Expected results in this cases are;
  - Full framework of the Government's migratory policy.
  - Establishment of a useful instrument that might support the Government and other players to improve the policies in this sector.
  - Development of an always present-day policy in this sector.
10. Direct beneficiary of the project is the Albanian Government, in particular the Ministry of Labor, Social Affairs and Equal Opportunities, Ministry of Foreign Affairs and Ministry of Interior. Indirect beneficiaries of the project would be all those individuals (Albanian and foreign) involved in the migratory phenomenon.

## ON THE METHODOLOGY USED

1. The scope of this study was assessing and monitoring the Albanian Government Policy on Migration. In particular, it is focused on monitoring its implementation by the part of the state institutions of the National Strategy on Migration, the main strategic document, which simultaneously expresses the vision and the state orientation on the approach to this phenomenon highly present and very crucial in the life of the country and wider.
2. In full compliance with the above-stated goal, viewing the National Action Plan on Migration as the implementing document of the said Strategy, EIT set as the key objective of the research the implementation level of the concrete measures of this plan up to the moment of this study was developed. Its finalization coincides with the period November - December 2006.
3. Taking into account the objective of our monitoring research, we defined and selected the sample of our research, which in our case was that close group of state officials, which due to their duties and in compliance with the competencies, were the representatives-responsible of the relevant institutions involved in the treatment of this migratory problem, and in particular in the implementation of the National Action Plan on Migration.
4. Aiming at full approach as possible to our objective, the sample selected should have been wider, i.e. including other categories of institutions and/or even citizens, which directly or not are related to the migratory problem. Such thing has been impossible due to the time and finance restrictions, but above all due to the target *per se* i.e. monitoring of the measures of the National Action Plan on Migration, which by it itself reduces the size of the group selected.
5. In this framework, in compliance with the National Action Plan on Migration, the responsible institutions, whose representatives composed our group, and the measures that should have been implemented were as following:
  1. Cabinet of Vice Prime Minister, for the measures 62, 65
  2. Ministry of Labor, Social Affairs and Equal Opportunities, for the measures 2-4, 6, 8-9, 17, 25, 30, 39-40, 42-44, 47, 54-57, 58-60, 62-63
  3. Ministry of Foreign Affairs, for the measures 12-14, 18-30, 42-43, 45-46, 49-51, 57-60, 62-63
  4. Ministry of Interior, for the measures 5, 7, 10-11, 13, 41, 53, 58-60, 62-63
  5. National Institute of Diaspora, for the measures 32-33, 35-36, 39, 66
  6. Ministry of Education and Science, for the measures 16, 36, 47-48, 58, 64
  7. Ministry of Tourism, Culture, Youth and Sports, for the measures 14-17-37
  8. TVSH (Albanian Television), for the measures 16-17, 34
  9. Ministry of Integration, for the measures 13, 28
  10. Institute of Social Insurances, for the measures 30, 31

11. Ministry of Economy, Trade and Energy, for the measure 47
  12. Ministry of Agriculture, Food and Consumer Protection, for the measure 2
  13. Ombudsman, for the measure 23
  14. Central Elections Commission, for the measure 58
  15. Training Institute of Public Administration, for the measure 61
6. With regard to the character of the objective targeted, two kinds of research methods were defined as more rational and efficacious: documentary and research action.
  7. The starting point and a considerable part of the time foreseen for the project development was dedicated to the research, study and the analysis of the official documents of this area. Hence, for this purpose, among the key documents, we can mention: National Strategy on Migration, National Action Plan on Migration, different acts approved by the Albanian Parliament, Council of Ministers or the line Ministries, publications published by international organizations, etc.
  8. Selection of the above-mentioned documents was constrained by their direct connection to the content with the National Action Plan on Migration, whose implementation comprises the objective of monitoring. In particular, apart from the recognition in a general meaning of the implementation status, certain documents would contribute directly to the monitoring of the concrete measures, among whose activities it was foreseen also the approval of a relevant act.
  9. Second monitoring period was characterized by the compulsory usage of the techniques of the research action, and it depended on the nature of the expected objective, particularly because the monitoring conducted by EIT experts was absolutely the first full monitoring undertaken with regard to the implementation of the National Action Plan on Migration, i.e. in a completely bare terrain.
  10. In this framework, it was considered as more efficacious the organizing of crossed individual and in-group meetings. Thus, with regard to the first, the meetings held were direct and with more or less open questions. In this way it was possible the preliminary definition of the expected data, their accuracy and exactness and on the other hand keeping of as great coherence as possible in the replies of the interlocutors.
  11. For this purpose, preliminary precise questionnaires for each institution were prepared with regard to the measures on whose implementation it was responsible for. The pre-defined questions aimed first of all at collecting answers concerning the implementation or not of the concrete measures, the foreseen activities and the reasons for such non-implementation. The questions were selected on purpose as open questions in order to give the interviewees the possibility to answer freely (although the questions were more or less clearly defined and with content directly related with the implementation or not of the concrete measures or

activities foreseen for its implementation). Two kinds of interviews were applied: written questionnaires and direct interviews.

12. Meetings in groups aimed at comparing the data received individually from each representing institutions and at a better understanding of the context, where the implementation of the National Action Plan on Migration was made possible. For this purpose two such meetings were organized respectively on 13 November 2006 and 24 November 2006.
13. With regard to the assessment of the implementation of the National Strategy on Migration as key indicators we can mention: inclusion of the foreseen activities on the implementation of the measures in the annual work programs of the responsible institutions; forecast of the necessary funds in the respective budgets of the institutions or from the foreign donors aid for the implementation of the measures; tangible products of the activities foreseen; as well as all the indicators foreseen for each measure in the action plan itself.
14. This monitoring research since the beginning faced with a number of difficulties of various kinds, whose main reasons were found both in the methodology used and beyond it.
15. Starting from the latter as the first difficulty, but not of least importance, we can mention the fact that in the area where the research was focused, i.e. in those of migration, there were no other reports of this kind with regard to the implementation of the National Action Plan. It hurdled our work at a certain extent.
16. Another considerable problem was caused also by the difficulties with which many others would have faced while trying to find the state information on the most significant developments, such as the phase or status of a draft-law or Decision of Council of Ministers. Overall, we faced with such difficulty throughout the project development.
17. Another constraint was also the short period of the project development. This has to be properly understood: it is not related to the velocity of the implementation process of the Action Plan, but mostly to the organization of the meetings. In such circumstances it was not easy to contact the different representatives and this was due to several reasons, but taking into account the great number of meetings that should be held, it is understandable that the time dedicated to this activity was insufficient.
18. Also, the financing of the project through a small grant constrained in a certain way the research's objective. Greater financial opportunities would have contributed to the widening of the research's object, limiting not the research purely in implementation or not of the measures, but favoring in maximal also the impact of the implementation of those measures. For example it would have been



useful to visit the border points, our consulates in the neighboring countries, etc., activities those which would have contributed in a better understanding also of the context, in which the said project is implemented.

19. Other constrains that had impact in this monitoring research were due to the methodology selected, which however was the most efficacious and most suitable with regard to the targeted objective. Thus, finding and updating with different state documents related directly to the implementation of the National Plan was not an easy undertaking. In many cases much time was wasted on their evidencing and finding.
20. But the greater difficulty of the research was constrained from the interviewing meetings. As it is known the interviewing itself, starting from the preparation of the questions has some important limitation due to its nature. In our case the difficulties were increasing also by many other important facts: status of the interviewed, objective requested in a area that is defined as a very sensitive public policy, progress of the work of each of the interviewed, personal nature, etc.
21. Not by accident the idea of being or at least feeling of being controlled by the others, “legitimacy” of whose work has been part of the state and above all superior in an hierarchy order, caused the fist “blocking”, and therefore an answer with limited openness, creating in itself a significant difficulty in the final conclusions for every measure analyzed.
22. Frequently we had to insist on the cooperative role of the civil society, such as the said case to set confidence bridges with the interlocutors, but however this effort was not always successful. Also, a sensitive area where the research was taking place was not always of help. Seldom, the interviews with several interlocutors were difficult due to the concern that the data would be disclosed to the opposition party, certainly as a result of non-understanding of the binomial of “public policy”.
23. Another constraint was caused also by the simple fact of the lack of work coordination by the state structures. There were cases when certain measures foreseen in the plan appeared to be implemented, but nothing was known about the responsible person etc.
24. The truth of this monitoring stands first of all on the principle on the basis of which it was established and functioned upon. This monitoring was conceived, built and applied based on the confidence on the professional honesty of the interviewed-representatives of the ministries and institutions involved in the treatment of the migratory phenomenon. However, in order to reach as soon as possible the truth throughout the verification of the implementation of the measures stipulated in the action plan, we had to apply also the crossed questionnaires for each measure, which was facilitated by the nature of the

measures themselves for which in most of the cases the cooperation among more than one institution was required.

25. Finally, despite the difficulties and constraints faced with during the project implementation, the report prepared is of paramount importance:

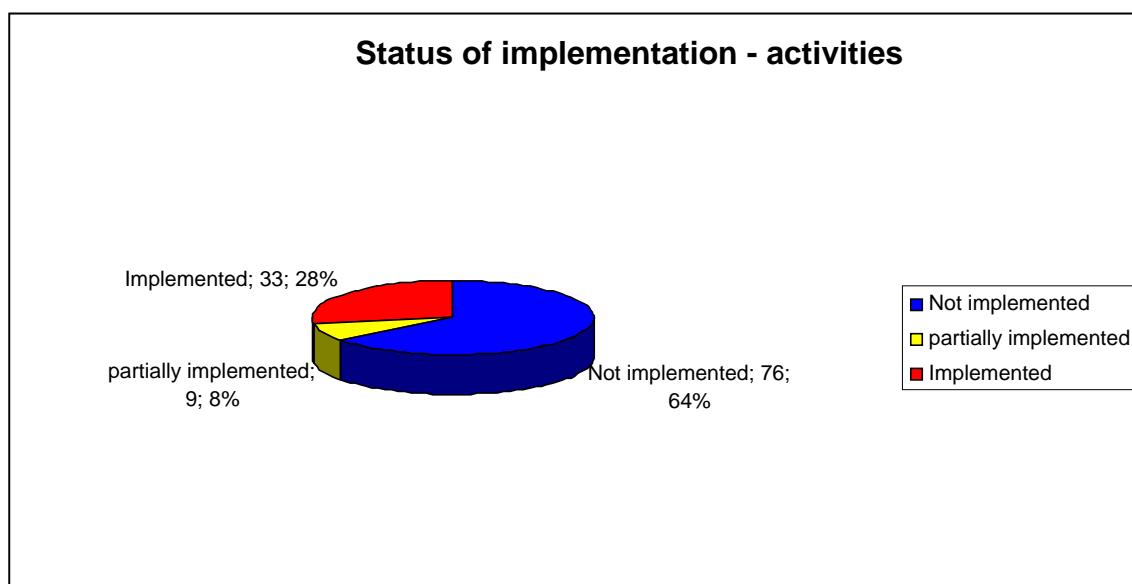
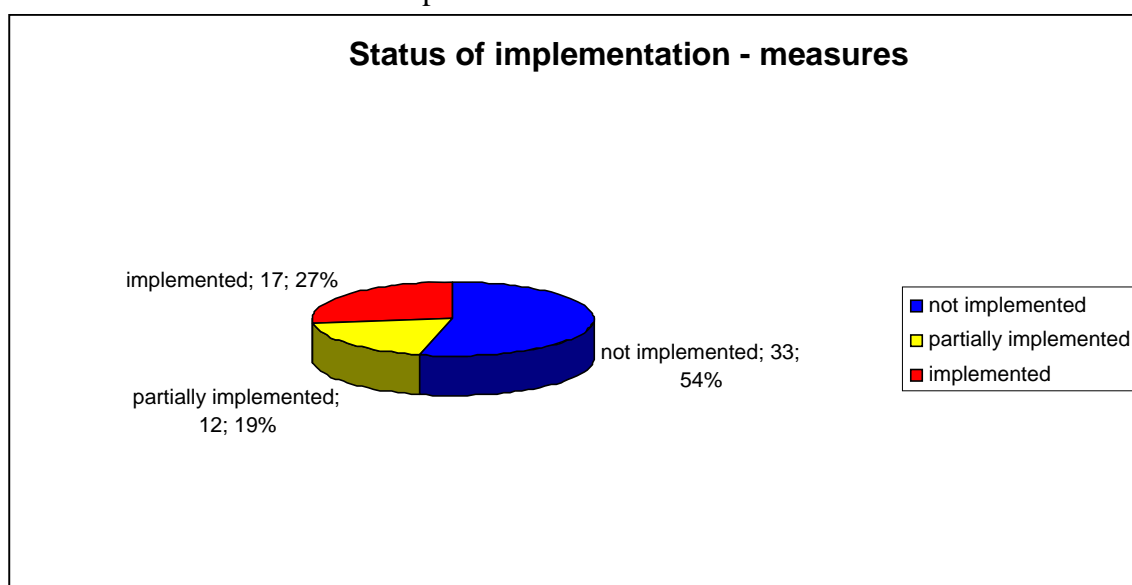
Firstly, it would be a very useful instrument for the citizens, because it may make the government aware of its work of implementing the obligations foreseen in this plan,

Secondly, it would ease the work of the Government, not only in providing an instrument to clarify the real status of treating the migratory phenomenon, but above all in providing to it with a considerable number of recommendations that might facilitate somehow the work in the future.

Thirdly and finally, this project showed that with little funds, with a small staff, the Government and its structures might monitor himself in the future the public policies, whose implementation would directly impact in the citizens' life and wellbeing.

## OVERALL ANALYSIS

1. Out of 66 measures set out in the Action Plan, 63 should have been implemented or at least their implementation should have started within 2006. There are exactly 63 measures, which constitute the scope of our work, and of the report as well (measure 53 has not been checked).
2. To date, a period which coincide with the end of monitoring, only 17 measures are implemented or stated in other words 27 %, 12 are implemented partially or 19%, which means that 54 % or in other words 33 measures are not implemented yet according to the forecast in the Action Plan. With regard to the activities, only 33 of them are implemented or 28%, 9 of them are implemented partially or 8% and 76 or 64% are not implemented.



3. Among the reasons presented for such a low implementation level we can mention the concerning fact that out of 15 Ministries or Institutions consulted, 8 of them were not aware of the existence of the Strategy and the Action Plan, in the better case, about their content, which in other words means approximately 53% of those institutions. The main reason for such situation should be seek in the reform undertaken by the Albanian Government since its first days, a reform which aimed at Government's size reduction.
4. Thus, in the framework of a small and dynamic Government, a number of ministries would no longer exist, but would be attached to the others, such as, for example, the merging of the Ministry of Public Order and the Ministry of Local Government and Decentralization into the Ministry of Interior; merging of Ministry of Economy and Ministry of Industry and Energy into a Ministry of Economy, Trade and Energy; merging of the Ministry of Transport and Telecommunications with the Ministry of Territory Planning and Tourism into the Ministry of Public Works, Transport and Telecommunications; and the joining of the Tourism with the former Ministry of Culture, Youth and Sports transforming them into a Ministry of Tourism, Culture, Youth and Sports. In this context, it was brought to end the Minister of State, which among others it was charged with the coordination of the implementation of the Action Plan on Migration up to the establishment of the National Agency on Migration and Diaspora.
5. As it is understandable, this important reform was only the first ring of the chain of reforms and of the detailed structural changes to follow it. The latter might have been classified as structural, functional and hierarchical changes, which would have been accompanied also with dismissal- some how massive dismissals. In this context, it had also impact on the staff, which had been involved for several years in preparation of the Strategy and National Plan, and this was a result of closing, merging and/or altering of the structures.
6. The staff, which presently deals with the problem of Migration in general and in particular with the implementation of the Action Plan, overall is not the previous one, and it has also been reduced. Its reduction, almost in all ministries involved in the strategy implementation, is a critical point to be taken into consideration, in particular because the development of a serious policy on Migration requires, as it is foreseen in the spirit of the strategy, the reinforcement of different department treating this phenomenon and not their weakening.
7. Consequences of this situation are also the above-mentioned results related to the awareness of those documents and/or their content. But in some case, the new appointed officials, although never declared publicly by the new government, were suspicious about the validity of the documents, considering them as products of the previous government i.e. "invalid". It is an alarming fact, which indicates somehow the way in which the principle of State continuity is implemented.

8. On the other hand, the majority of the institutions accepted the considerable lack of coordination (almost inexistent) among the responsible bodies and a total absence of an official institution charged with the global coordination of the strategy, in case it is not considered the “de facto” coordination carried out by the Ministry of Labor, Social Affairs and Equal Opportunities. It should be accepted since the beginning that the existence of a coordinating and monitoring structure for the implementation of the National Plan, being a crucial issue for the success of this policy, was foreseen in the plan itself, in particular in the measures 62 and 65.
9. Thus, in the said measures it was foreseen the establishment and attachment to the Prime Minister Office of the National Agency on Migration and Diaspora, a structure which would have competencies for policy-making, coordinating and monitoring. This decision was made by the new government, but completely different from the forecast of the Plan. On 5 April 2006 the Council of Ministers, through the Decision No.194, decided the “Establishment and functioning of the National Institute of Diaspora to the Ministry of Foreign Affairs”, which was an existing institute established through the Decision of the Council of Ministers No. 216, dated 14.1.1996, replaced by the latest one.
10. According to this decision, the National Institute of Diaspora is not a subordinate structure of the Prime Minister, but of the Ministry of Foreign Affairs and its competencies are only in the framework of formulation of policies on migration, assessment of the compliance of different strategies with that on Migration, but it does not have any coordinating or monitoring competencies. It should be pointed out also, that only in the last days, i.e. approximately seven months following its establishment; this Institute undertook the initiative of creating its Board, foreseen in the clause 5 of the Decision No. 194 of the Council of Ministers. Despite that, it is important to stress that even today, in contradiction with the spirit of the strategy, there is not a specific body to deal with the coordination of the work and activities of the bodies involved in the implementation of the Plan, and through it of the Strategy.
11. Only a month after the approval of the Order No. 115, dated 11 May 2006, the Prime Minister decided for the “Establishment and functioning of the Inter-ministerial Committee on Migration”, a committee established by the Order No. 151 dated 27 October 2003, which was rendered null and void. This Committee has mostly advising competencies to the Council of Ministers, and the Ministry tasked with the coordination of the work and organizing the meetings is the Ministry of Labor, Social Affairs and Equal Opportunities.
12. It should be mentioned that the latest meeting of this Committee dates April-May 2006, at the time when the preliminary approval of the Action Plan on Migration took place. Being in force since that period, it has never convened despite the legal obligation to meet no less than once every six months. Despite the latest

decision this Committee has always existed, therefore the lack of meetings has considerably affected the results achieved.

13. The issue of coordination attracts our attention also as far as the issue of approximating the different strategies with the Strategy on Migration is concerned as it is foreseen in the measure no.1. Who will make its implementation possible?
14. Another huge problem that had affected significantly the non-implementation of the measures foreseen within this period has been no doubt the lack of funds. Their lack is raised and accepted as a sensitive issue, although it is evident that the approval of the Action Plan by the government's decision on May 2005 implied, among others, its financial commitment as well.
15. It should not be neglected also the fact that this commitment is part of the relations between Albania-EU and that the latter has already approved one million euro in the framework of the CARDS 2004 Program, for the implementation of the Strategy, a commitment which requires the mutual approach by the Albanian Government, furthermore when the latter is the main responsible for the treatment of this phenomenon in Albania. In addition, the postponement of the implementation of the project "Support for the implementation of the National Strategy on Migration" in the framework of the CARDS Program 2004 has faded the possibility of the State to implement not only the measure no. 1, but also other measures.
16. Last, but not the least, is the issue related to the missing pointing out of a monitoring body for the strategy, which according to the measure 65 should have been either the Institute or the National Agency for Diaspora and Migration. This problem might cause in the future stagnation phases along the strategy implementation. This is another situation that had its impact in the above-stated results.
17. The second part includes an analysis of each measure. Thus, for every measure are foreseen three sections:
  - status of implementation,
  - specific considerations, either on the reasons of the lack of implementation or on the results achieved through the implementation, on the basis of the suggestions received from the Ministries or Institutions involved in process together with the suggestions of the experts themselves.
  - and the recommendations formulated by the experts, which foresee actions or activities that should be implemented aiming at better and rapid implementation of the Action Plan or in other words at achieving and implementing a more efficacious policy.

## **SPECIFIC ANALYSIS ON EACH MEASURE**

### ***A. Combating illegal migration***

#### ***A.1 Addressing the root causes of emigration***

##### ***Measure 1***

Approximate strategies with the National Migration Strategy

##### ***Activity***

The evaluation should be undertaken from the Agency on Migration and Diaspora, which will also monitor the National Strategy on Migration, the existing strategies, in order to envisage activities to be included in migration area.

##### ***Prerequisites***

-

##### ***Responsible Body***

Agency on Diaspora and Migration

##### ***Implementing Body***

Agency on Diaspora and Migration

##### ***Deadline (duration/finalization)***

2006 - 2010

##### ***Human Resources***

Existing Human Resources

##### ***Total Budget***

Existing Budget

##### ***Possible benchmarks***

Annual reports

##### ***Status of implementation***

Not implemented.

##### ***Remarks***

The Council of Ministers Decision no.194, dated 5 April 2006 provided the establishment of the National Institute of Diaspora (NID) attached to the Ministry of Foreign Affairs (MoFA), and assigned to it mainly competences related to Diaspora issues. The newly established Institute has been charged, among others, with the task of approximating the existing strategies with the National Strategy on Migration. Nevertheless, the National Institute of Diaspora has not conducted yet any specific evaluation, which was foreseen as the main activity of this measure. Currently, NID deals with Diaspora issues only, and it does not have an overall view on the Strategy. In addition, following the new

establishment, NID, which in fact existed (it was established in 1996), has suffered a staff reduction, and it was reduced from six to four officials (three specialists and one Director). Therefore, presently, it does not have sufficient human resources to deal with the new tasks assigned. Furthermore, it is important to point out that NID does not have any independent budget, and that its activities are included in MoFA overall budget. The Strategy complexity, no doubt, requires its approximation with the other existing strategies, as it appears to be the most appropriate way in order to avoid the overlapping, and to create significant synergies.

### ***Recommendations***

1. Inter-ministerial Committee on Migration should clarify the body in charge with the implementation of this activity. In event NID is confirmed as the responsible body, it should be provided with the necessary financial and human resources to execute this task;
2. The responsible body should operate in cooperation with the new Government's structure concerning the integrated planning system.



## ***Measure 2***

Undertake measures aiming at the reduction of migration flow in rural areas through the creation of facilities for the revitalization of agriculture sector in the country.

### ***Activity***

1. Completion of an evaluation report on emigration in rural areas, and identification of emergency areas, for the revitalization of the agriculture sector.
2. Inclusion of concrete measures in the Rural Development Strategy, aiming at the promotion of stable employment in agriculture sectors, in the country.

### ***Prerequisites***

Approval and implementation of the Rural Development Strategy

### ***Responsible Body***

MoLSA, MoA.

### ***Implementing Body***

1. MoLSA, MoA.
2. MoA

### ***Deadline (duration/finalization)***

1. 2006
2. 2007-2010

### ***Human Resources***

1. Three experts to undertake the research.
2. Existing resources.

### ***Total Budget***

1. 30 thousand Euro
2. To be identified after the research is finalized.

### ***Possible benchmarks***

1. Evaluation report in 2006.
2. Decrease in emigrants' figures in these areas

### ***Status of implementation***

1. Not implemented.
2. *Beyond the scope of this report*

### ***Remarks***

The implementation of this measure requires the cooperation between the Ministry of Labour, Social Affairs and Equal Opportunities and the Ministry of Agriculture. However, such collaboration was missed, and the Ministry of Agriculture did not foresee the implementation of this measure in its annual programme, and as a consequence did not allocate the proper budget for it. Therefore, no evaluation report has been prepared. Nevertheless, the experts deem as highly concerning the fact that the Ministry of

Agriculture was not aware at all about the existence of this Strategy, and in addition to that, such document was perceived as a “product” of the past Government. As a result, it was neither binding for the new staff nor particularly relevant to their specific work planning. Such approach appears openly against the principle of the State continuity, which should be the basis of an efficient democracy.

### ***Recommendations***

1. Inter-ministerial Committee on Migration should reiterate its willingness to implement the National Strategy on Migration and its Action Plan.
2. The Ministry of Agriculture should revise its annual programme as soon as possible, including the activities foreseen in the Action Plan and allocating the necessary funds for their implementation (donors’ support might be requested e.g. in the framework of the CARDS 2004 Programme);
3. Contacts and periodical meetings should be established between the Ministry of Agriculture and the Ministry of Labour, Social Affairs and Equal Opportunities.

### ***Measure 3***

Evaluation of the concrete opportunities offered under The Strategy on Employment and Vocational Training, to returnees.

#### ***Activity***

1. Evaluation Report on vocational training opportunities that are actually offered to returnees, covering also existing deficiencies and needs.
2. Include concrete measures in the Strategy of Employment and Vocational Training, for the promotion of stable returnees' employment levels in the country.

#### ***Prerequisites***

-

#### ***Responsible Body***

MoLSA

#### ***Implementing Body***

MoLSA

#### ***Deadline (duration/finalization)***

1. 2006
2. 2007-2010

#### ***Human Resources***

1. Three experts.
2. To be identified based on the Study.

#### ***Total Budget***

1. 30 000 Euro
2. According to the needs identified in the evaluation report.

#### ***Possible benchmarks***

1. Evaluation report in 2006.
2. Increase in the numbers of assisted returnees with employment and vocational training

#### ***Status of implementation***

1. Implemented.
2. *Beyond the scope of this report.*

#### ***Remarks***

Report's completion dates December 2005.

#### ***Recommendations***

-

#### ***Measure 4***

Undertake measures for the provision with basic living conditions and investment promotion in areas where emigration figures are higher.

#### ***Activity***

1. Launch a research, for the identification of areas of high emigration figures.
2. Identification of emergency measures that should be undertaken for the identified areas, and their inclusion in the Strategy for Socio-Economic Development, as well as in the Strategy for SME Development.

#### ***Prerequisites***

2. Finalization of the report.

#### ***Responsible Body***

1. MoLSA
2. MoF, MoE.

#### ***Implementing Body***

1. MoLSA, Local Government Units, INSTAT
2. MoF, MoE, Line Ministries and the LGU responsible for Socio Economic Development Strategy, the SME Strategy and the Regional and Local Development Strategies.

#### ***Deadline (duration/finalization)***

1. 2006
2. 2007-2010.

#### ***Human Resources***

1. Three (3) experts to undertake study.
2. Existing resources.

#### ***Total Budget***

1. 30 000 Euro.
2. To be identified after the study has been finalized.

#### ***Possible benchmarks***

Research to be finalised in 2006

#### ***Status of implementation***

1. Not implemented.
2. *Beyond the scope of this report.*

#### ***Remarks***

This measure is not implemented both due to the lack of coordination between the implementing bodies, and lack of funds.

### ***Recommendations***

1. For the implementation of this measure the Ministry of Labour, Social Affairs and Equal Opportunities should play a stronger leading role, and should better coordinate its work with that of the other institutions involved;
2. At the same time, MOLSAEO should be active in searching/finding the necessary funds for 2007, both within the State budget and in the framework of donors' programmes (e.g. CARDS Programme 2004).
3. MOLSAEO should prepare the job profiles for the three experts to be hired to conduct the research.

## ***A.2 Return***

### ***A2.1. Return of Albanian Nationals to Albania by EU Member States***

#### ***Measure 5***

Implementation of readmission agreements

#### ***Activity***

1. Clarify, through a by-law, the competencies between the structures of MoPO, dealing with irregular migration.
2. Creation, through a by law, of reception facilities for irregular emigrants, in the main border points of the country and especially in Rinas Airport.

#### ***Prerequisites***

-

#### ***Responsible Body***

MoPO

#### ***Implementing Body***

MoPO

#### ***Deadline (duration/finalization)***

1. 2006
2. End of 2005 and on going.

#### ***Human Resources***

-

#### ***Total Budget***

1. Existing Budget
2. 240 000 Euro for 8 centres in 8 border points

#### ***Possible benchmarks***

2. Number of the reconstructed facilities

#### ***Status of implementation***

1. Implemented.
2. Implemented.

#### ***Remarks***

The Ministry of Interior, notably the Border Management and Migration Police Directorate, was active in the implementation of this measure. A Decision of the Minister of Interior and the related by-laws are issued with regard to the competencies among the Ministry of Interior structures dealing with the irregular migration. Eight centres at the main border points are either built or rehabilitated with the financial support of a CARDS

2003 Project (“Pre-screening of asylum seekers and illegal migrants”). Particular attention is given to the “Mother Teresa” Airport checkpoint concerning both the reception facilities and staff training.

***Recommendations***

-

## ***Measure 6***

Preparation and dissemination in the EU of leaflets on voluntary return (including status, rights of emigrants and reintegration services in the country) through consular services

### ***Activity***

Publication and dissemination of leaflets providing information on return procedures, available social services for reintegration, etc (support of the emigrants' associations and local/international organizations can also be utilized).

### ***Prerequisites***

-

### ***Responsible Body***

MoLSA

### ***Implementing Body***

MoPO/MoFA

MoLSA.

### ***Deadline (duration/finalization)***

2006 and ongoing.

### ***Human Resources***

Existing human resources

### ***Total Budget***

30 000 Euro

### ***Possible benchmarks***

Number of copies disseminated

### ***Status of implementation***

Implemented

### ***Remarks***

A certain number of leaflets related to the return procedures, and the available social services for the reintegration of migrants are published and distributed in cooperation with IOM.

### ***Recommendations:***

1. Considering the implementation period of this measure, the Ministry of Labour, Social Affairs and Equal Opportunities should make sure that sufficient funds are annually allocated.



**Measure 7**

Reception at border points in the country, for returned unaccompanied minors (not part of the category of trafficked victims).

**Activity**

Creation of relevant referral mechanisms at entry points, and provision of necessary facilities for the reception

**Prerequisites**

Training of the concerned staff

**Responsible Body**

MoPO

**Implementing Body**

MoPO

**Deadline (duration/finalization)**

2005

**Human Resources**

Existing human resources

**Total Budget**

Existing Budget

**Possible benchmarks**

-

**Status of implementation**

Implemented

**Remarks**

The Border Management and Migration Police Directorate to the Ministry of Interior paid proper attention to the implementation of this measure. The funds are made available in the framework of the CARDS 2003 Project "Pre-screening of Asylum seekers and illegal migrants". In addition, training is provided to the relevant staff.

**Recommendations**

1. The Ministry of Interior should make sure that the referral mechanisms at the Border points continue to operate, and that the facilities for the reception are well-maintained beyond the project completion period. Therefore, the Ministry of Interior should annually allocate the necessary funds in the State Budget.

## ***Measure 8***

Broaden the reintegration services, in order to guarantee permanent return.

### ***Activity***

1. Drafting and implementation of joint employment programmes with small businesses.
2. Provision of career guidance, job placement and vocational training.

### ***Prerequisites***

-

### ***Responsible Body***

MoLSA.

### ***Implementing Body***

National Employment Service in cooperation with Albanian Chamber of Commerce, Rural development Agencies.

### ***Deadline (duration/finalization)***

2006 and ongoing

### ***Human Resources***

Existing human resources

### ***Total Budget***

To be calculated taking into account the study envisaged under measure no 3.

### ***Possible benchmarks***

Number of persons assisted with reintegration services

### ***Status of implementation***

1. Not implemented.
2. Partially implemented.

### ***Remarks***

1. Contacts with the Union of the Chambers of Commerce have been established only.
2. Currently, only the general programmes exist within the National Employment Service.

### ***Recommendations***

- |  |
|--|
| <ol style="list-style-type: none"><li>1. MOLSAEO should take the initiative to establish a joint working group at technical level composed of the representatives from MOLSAEO, NES, the Albanian Chamber of Commerce and the Rural Development Agency in order to formulate the guidelines for joint employment programmes with small business;</li></ol> |
|--|

2. All involved institutions should include these activities in their annual programme 2007;
3. Necessary funds or part of them should be foreseen in the budget of the institutions concerned;
4. Established joint working group should define specific programmes for career guidance, job placement and vocational training.

**Measure 9**

Capacity building for the National Employment Service and its regional and local offices staff

**Activity**

Specific training programmes related to the assistance that should be provided to returnees

**Prerequisites**

See measure no. 40.

**Responsible Body**

MoLSA

**Implementing Body**

NES

**Deadline (duration/finalization)**

2006

**Human Resources**

Existing human resources

**Total Budget**

14.000 Euro for 5 years (15 persons trained during 5 days first year and 2 days as from the second year)

**Possible benchmarks**

Number of individuals trained

**Status of implementation**

Implemented.

**Remarks**

Specific training programmes, with the support of the International Organisation for Migration, are ongoing in the three Regional Employment Offices.

**Recommendations**

-

## ***A.2.2. Return of third country nationals to Albania by EU Member States***

### ***Measure 10***

Implementation of Readmission Agreements, including the readmission agreement between the EC / Albania and other bilateral agreements regarding third-country nationals

#### ***Activity***

Planning, rehabilitation/construction and functioning of the detention premises for the third country nationals, expecting to be returned through:

- a. A feasibility Study;
- b. b. Rehabilitation/construction of premises.

#### ***Prerequisites***

-

#### ***Responsible Body***

MoPO

#### ***Implementing Body***

MoPO

#### ***Deadline (duration/finalization)***

- a) Mid 2006
- b) 2007

#### ***Human Resources***

-

#### ***Total Budget***

- b. 1.320.000 (330.000 Euro annually for 4 years)

#### ***Possible benchmarks***

-

#### ***Status of implementation***

Implemented

#### ***Remarks***

The feasibility study is completed with IOM support. Already the ownership of the detention premises, to be rehabilitated for the third country nationals, has been transferred from the Ministry of Defence to the Ministry of Interior.

### ***Recommendations***

1. The Ministry of Interior should be committed to appoint and duly train the necessary staff in order to avoid any delay in the operation of the centre.

### ***A.2.3. Return of third country nationals by Albania to third countries***

#### ***Measure 11***

Provide necessary information to returnees concerning voluntary return possibilities offered in their home country.

#### ***Activity***

1. Appoint responsible persons in border police to deliver the information.
2. Design and distribute posters and leaflets with information on voluntary return and its advantages, as well as rights of migrants.

#### ***Prerequisites***

-

#### ***Responsible Body***

MoPO

#### ***Implementing Body***

MoPO, MoFA.

#### ***Deadline (duration/finalization)***

2006 ongoing

#### ***Human Resources***

Existing Human resources

#### ***Total Budget***

To be evaluated on the basis of the expected results of the readmission agreement.

#### ***Possible benchmarks***

-

#### ***Status of implementation***

1. Implemented
2. Implemented

#### ***Remarks***

1. The responsible persons have been appointed already.
2. Posters, both in English and Albanian, containing information on the rights of migrants, have been placed in all the main border points with the support of the Albanian Helsinki Committee. Furthermore, foreigners can find complete information on their rights on the website of the Ministry of Interior.

#### ***Recommendations***

-

**Measure 12**

Facilitate return procedures in the countries of origin, with regards to the issuance of necessary identity and travel documents.

**Activity**

1. Contact and inform the Embassies in Albania;
2. Contact through the Albanian embassies abroad and relevant ministries in third countries

**Prerequisites**

-

**Responsible Body**

MoFA

**Implementing Body**

1. MoFA,
2. MoFA, MoPO.

**Deadline (duration/finalization)**

2006

**Human Resources**

Existing Human resources

**Total Budget**

Existing budget.

**Possible benchmarks**

-

**Status of implementation**

1. Implemented.
2. Implemented.

**Remarks**

2. Currently an Instruction of the Minister of Foreign Affairs concerning the issuance of special laissez-passer for the voluntary returnees is in force. The Albanian Embassies have been contacted several times by the Ministry of Foreign Affairs on the issues related to this measure.

**Recommendations**

-



### ***Measure 13***

Negotiations and signing of Return and Readmission agreements with third countries

#### ***Activity***

1. Identification of countries of origin and transit countries with which readmission agreements need to be signed;
2. Preparatory meetings convened for the drafting and signing of readmission agreements, with representatives from countries of origin and transit countries.

#### ***Prerequisites***

-

#### ***Responsible Body***

MoPO, MoFA, MoEI.

#### ***Implementing Body***

MoPO, MoFA, MoEI.

#### ***Deadline (duration/finalization)***

2005-2010

#### ***Human Resources***

Existing Human Resources

#### ***Total Budget***

Existing budget.

#### ***Possible benchmarks***

-

#### ***Status of implementation***

1. Implemented.
2. Implemented.

#### ***Remarks***

1. The Ministry of Foreign Affairs has prepared a list of priorities.
2. Preparatory meetings are convened with other countries in region and broader. Norway, Croatia and Macedonia are among the priority countries. There is a will to sign agreements with India and China, but, notably for the latter, there are political problems. However, new readmission agreements are not considered as a priority for the moment.

Nevertheless, as a general remark we can point out the lack of coordination among the responsible bodies. The Ministry of Interior declared not to have any responsibility on the implementation of this measure.

### ***Recommendations***

1. A meeting among the responsible bodies should be convened in order to clarify the respective role in the readmission agreements preparation and signature.

### ***3. B. Linking emigration of Albanians and development of Albania***

#### ***B.1. Benefiting from Albanians abroad***

##### ***B.1.1. Supporting Albanian Emigrant***

###### ***B.1.1.1. Improve the image of the Albanian emigrant abroad***

#### ***Measure 14***

Creation of Albanian Cultural Institutes in Greece and Italy, for the promotion of the Albanian image and its emigrants'. They will also offer certain services to Albanian emigrant communities.

#### ***Activity***

1. Approval of a Decision from the Council of the Ministers "On the establishment of Cultural Institutions, in those host countries where Albanian Communities are larger".
2. Promotion of these institutes through media campaigns in Albania and in host countries too.

#### ***Prerequisites***

-

#### ***Responsible Body***

MoCYS, MoFA,

#### ***Implementing Body***

MoCYS, MoFA,

#### ***Deadline (duration/finalization)***

1. 2006
2. 2007

#### ***Human Resources***

6 persons employed in each Institute

#### ***Total Budget***

1. 200 000 Euro per year (for each institute) = 1,6 million Euro.
2. Existing Budget of MoCYS.

#### ***Possible benchmarks***

Activities organised and services provided to emigrants by each of these institutes, annual reports.

#### ***Status of implementation***

1. Not implemented.
2. *Beyond the scope of this report*

#### ***Remarks***

The decision is not approved yet. Its approval is expected in 2007. The National Institute of Diaspora is working on it, but to date no institute has been established due to the lack of funds.

***Recommendations***

1. Ministry of Foreign Affairs should speed up the procedures for the approval of the above mentioned decision;
2. Funds required for both the employment of the new staff (12 persons) and functioning of the two institutes should be forecasted in the State budget;
3. Job profile for the new staff should be prepared by the National Institute of Diaspora in collaboration with the Ministry of Tourism, Culture, Youth and Sport, and the Department of Public Administration.

### ***Measure 15***

Inclusion of the Albanian emigrant communities in the cultural life of the host countries, and that of Albania, too, for the promotion of these communities

#### ***Activity***

1. Signing and/or amendment of bilateral agreements including migratory element.
2. Identification of cultural, sports, education, science associations, operating in host countries, identification of talented and successful individuals in those fields, too (based on the list of Diaspora Institute).

#### ***Prerequisites***

-

#### ***Responsible Body***

MoCYS

#### ***Implementing Body***

MoCYS, MoFA, MoES.

#### ***Deadline (duration/finalization)***

2006 and ongoing.

#### ***Human Resources***

Existing human resources

#### ***Total Budget***

Existing budget of MoCYS.

#### ***Possible benchmarks***

1. Number of agreements signed and revised
2. Number of associations and individuals identified, included in the database

#### ***Status of implementation***

1. Not implemented.
2. Not Implemented.

#### ***Remarks***

Ministry of Tourism, Culture, Youth and Sport is not aware about the National Action Plan on Migration. This Ministry has not included this measure in its annual plan, although it considers the migration issue as a priority. No regular contacts have been established between the MTCYS and NID. Recently, no bilateral agreements have been signed or amended; in addition there is no any database or list, which in fact it is NID duty.

### ***Recommendations***

1. In the forthcoming meeting, the Inter-ministerial Committee on Migration should emphasize the binding character of the Strategy and its National Action Plan on Migration;
2. Regular contacts should be established between NID and MTCYS.
3. NID should speeds up the procedures to make available a complete database containing information on cultural, sports, education, science associations, operating in host countries, and on gifted and successful individuals in those areas.

## ***Measure 16***

Promotion of the successful personalities cases in host countries as well as in Albania

### ***Activity***

1. Awarding to these personalities the title "Ambassador of the Nation" by the Albanian authorities.
2. Promotion of those personalities in close cooperation with TVSH (new programme entitled the "100 most famous Albanians" to be launched end 2005 or 2006).

### ***Prerequisites***

-

### ***Responsible Body***

MoCYS, MoES, TVSH.

### ***Implementing Body***

MoCYS, MoES.

### ***Deadline (duration/finalization)***

2006-on going

### ***Human Resources***

Existing Human resources in all three institutions

### ***Total Budget***

1. Existing budget.
2. 45 000 Euro.

### ***Possible benchmarks***

Number of titles that will be granted per year

### ***Status of implementation***

1. Not implemented.
2. Not implemented.

### ***Remarks***

To date the title "Ambassador of the Nation" has not been awarded by the Albanian authorities according to the Ministry of Education and Science. Both, the Ministry of Tourism, Culture, Youth and Sport, and the Ministry of Education and Science are not aware about these specific measures included in the Action Plan. Although planned to be implemented either by the end of 2005 or 2006, TVSH is still in the preparatory phase of the programme anticipated in the measure, and it has not started yet the cooperation with the Ministry of Tourism, Culture and Youth, which, according to the TVSH representatives, will start once the preparatory phase is over.

### ***Recommendations***

1. In the forthcoming meeting, the Inter-ministerial Committee on Migration should emphasise the binding character of the Strategy and its National Action Plan on Migration;
2. A joint working group should be established between MTCYS and MES for the implementation of this measure;
3. Funds required for the implementation of this measure should be either forecasted in the State budget or made available by the donors (action of fundraising might be needed).
4. TVSH should speed up the organisation of the expected programme, starting without delay the collaboration with the Ministry of Education and Science, and the Ministry of Tourism, Culture, Youth and Sport.



### ***Measure 17***

Organization of media campaigns in Italy and Greece for the promotion and information about:

1. Migration as a phenomenon;
2. Albanian identity, history and culture;
3. Information dissemination about current political, social and economical developments, occurring in the framework of the integration process of Albania in the EU.

### ***Activity***

1. Drafting and signing of agreements between TVSH and the national televisions of the host countries, regarding the broadcasting of the campaign.
2. Realization of a documentary film from TVSH, about the Albanian emigration phenomenon. This documentary ought to be translated into Greek, Italian and English.
3. Realization of several mini documentary films and media promotion campaigns, about the Albanian historical background and culture.

### ***Prerequisites***

Signing of Collaboration Agreements between MoLSA, MCYS and TVSH as well as national televisions of host countries

### ***Responsible Body***

TVSH, MoCYS, MoLSA

### ***Implementing Body***

TVSH, MoCYS, MoLSA

### ***Deadline (duration/finalization)***

2006-2008

### ***Human Resources***

Existing Human resources

### ***Total Budget***

55.000 Euro

### ***Possible benchmarks***

Number of documentary films broadcasted and their audience

### ***Status of implementation***

1. Not implemented.
2. Partially implemented.
3. Partially implemented.

### ***Remarks***

No Collaboration Agreement between MoLSAEO, MTCYS and TVSH, as well as the national televisions of host countries has been signed. Therefore, only few movies on the subjects foreseen in the measure have been aired by TVSH, even though they were not materialized in cooperation with the other responsible bodies. Coordination was obviously missing. MTCYS was not aware about this measure. None of the ministries concerned have included the foreseen activities in their annual programme.

### ***Recommendations***

1. TVSH should take the initiative to organise a joint committee with the other responsible bodies for the identification of the themes to be included in the documentaries and for the their joint conception;
2. TVSH should play the leading role to accelerate the procedures to sign the anticipated collaboration agreements;
3. Greek, Italian and UK Embassies should be involved in order to facilitate the signing of the agreements and to make possible the co-funding of these activities.

***B.1.1.2. Improve the Albanian diplomatic and consular services for Albanian emigrants.***

***Measure 18***

Capacity building and appointment of necessary staff, offering consular services and assistance on legal and migration matters to emigrants.

***Activity***

1. Identification of deficiencies and needs inside MoFA, embassies, and consulates for specialized staff, offering consular services and provide legal/migration assistance to emigrants.
2. Appointment of necessary staff.

***Prerequisites***

Finalization of the evaluation report for the identification of needs and deficiencies

***Responsible Body***

MoFA

***Implementing Body***

MoFA

***Deadline (duration/finalization)***

1. 2005
2. 2006 ongoing according to the needs.

***Human Resources***

- 1.Existing resources
2. To be identified after the finalization of the evaluation report on the needs and deficiencies

***Total Budget***

- 1.Existing Budget
- 2.To be identified according to the report.

***Possible Benchmarks***

1. Evaluation report on the needs and deficiencies
2. Additional specialised staff

***Status of implementation***

1. Not implemented.
2. Not implemented.

***Remarks***

1. The evaluation report on identifying the needs and deficiencies is not finalised. On the basis of the information collected, consular services of an average quality

are provided in host countries, whereas a barely legal assistance is available to the emigrants. A general database of the civil office is missing; however, it is planned for 2014.

2. The lack of funds is the main reason for not hiring the necessary staff.

### ***Recommendations***

1. Ministry of Foreign Affairs should complete the data collection in order to finalisation the above-mentioned evaluation report;
2. Legal/migration assistance to emigrants should be foreseen as one of the qualified services offered by the consulates;
3. Necessary funds should allocated for the hiring of the specialised staff;
4. Job profile for the specialised staff should be prepared in cooperation with the Department of Public Administration.

### ***Measure 19***

Based on the quarterly information received from consulates, compilation and publication by MoFA of an annual report regarding the assistance offered to Albanian citizens. The report should also provide information on the actual situation of the Albanian community abroad, with a focus on Italy and Greece.

#### ***Activity***

1. Assessment of the legal and migratory assistance provided to emigrants from the consulates abroad and identification of needs.
2. Evaluation of the information collected in MoFA and elaboration of the report.

#### ***Prerequisites***

Definition and approval by MoFA, of the structure and methodology of work for the report

#### ***Responsible Body***

MoFA

#### ***Implementing Body***

MoFA

#### ***Deadline (duration/finalization)***

1. 2006 and ongoing in quarterly periods.
2. 2006 and ongoing.

#### ***Human Resources***

Appointment of a specialist for the collection and evaluation of the material

#### ***Total Budget***

6 000 Euro for the specialist and 5000 Euro for the publication and dissemination of the report (Every year 11.000 Euro-55 000 Euro for 5 years)

#### ***Possible benchmarks***

1. Quarterly reports from our consulates
2. Annual reports

#### ***Status of implementation***

1. Partially implemented.
2. Not implemented.

#### ***Remarks***

1. A partial assessment of the legal and migratory assistance provided to emigrants from the consulates abroad has been done. However, no specialist has been hired for the collection and evaluation of the material.
2. The information collected through annual reports from the consulates is still incomplete.

### ***Recommendations***

1. Ministry of Foreign Affairs should require from all consulates in the host countries the missing information;
2. Profile of the specialist for the evaluation of the material should be prepared in cooperation with the Department of the Public Administration;
3. Necessary budget for hiring the specialist should be forecasted or, if it is the case, an internally selected specialist should be charged with this task.

## ***Measure 20***

Training of Diplomats in migrant rights

### ***Activity***

Organization of special seminars in migration area, within MoFA and Diplomatic Academy, for the training of Diplomats

### ***Prerequisites***

Identification of the training needs and drafting of special training modules in this area

### ***Responsible Body***

MoFA,

### ***Implementing Body***

MoFA, MoLSA.

### ***Deadline (duration/finalization)***

2006-2010 (Periodical training according to the needs)

### ***Human Resources***

Existing Resources

### ***Total Budget***

60,000 Euro.

### ***Possible benchmarks***

Number of training sessions organised and number of diplomats trained

### ***Status of implementation***

Not implemented.

### ***Remarks***

Ministry of Foreign Affairs have planned training sessions on migration-related issues for 2007. The workshops organised by IET in the framework of this project provided the opportunity to the Ministry of Foreign Affairs to establish contacts with the Institute for the Training of the Public Administration. Therefore, for the above-mentioned training sessions, the cooperation between ITAP and the Diplomatic Academy will commence.

### ***Recommendations***

1. A joint working group MOFA/MOLSAEO should identify the training needs in the areas of migration for the diplomats;
2. On the basis of the identified training needs, ITAP in cooperation with the Diplomatic Academy should hire an expert for the drafting of specific curricula for the diplomats;

3. Necessary funds for the conducting the training sessions should be reflected in the MOFA budget.



## ***Measure 21***

Establishment of web sites for the embassies providing information on the services offered to emigrants. (Priority to be given to Greece and Italy)

### ***Activity***

1. Provision of all embassies with web sites.
2. Drafting of a catalogue with consular services regarding the emigrants and inclusion of the catalogue in the web sites.

### ***Prerequisites***

-

### ***Responsible Body***

MoFA

### ***Implementing Body***

MoFA,  
MoLSA.

### ***Deadline (duration/finalization)***

2006

### ***Human Resources***

A specialist from MOFA

### ***Total Budget***

Approximately 5000 Euro for the position of the specialist, 10 000 Euro for the web sites of our consulates (total in 5 years=35000 Euros)

### ***Possible benchmarks***

Number of navigators in the Internet websites

### ***Status of implementation***

1. Partially implemented.
2. Implemented.

### ***Remarks***

1. An Order of the Minister of Foreign Affairs is issued concerning the websites' establishment in different embassies. Nevertheless, currently only some of the embassies have websites.
2. There is a catalogue with consular services regarding the emigrants, and it is available in the central website of the Ministry of Foreign Affairs.

### ***Recommendations***

1. Hiring the specialist for establishing the websites should be foreseen in the 2007 budget;
2. Specialist should be sent on mission in the different embassies in order to supervise the creation of the websites, and to include the catalogue with consular services in all of them;
3. A focal point for the websites should be also established in all the embassies in order to cooperate with the specialist;
4. A plan for the continuous update of the websites should be planned by the specialist and implemented by the focal points under his/her supervision.

## ***B. Linking emigration of Albanians and development of Albania***

### ***B.1.1.3. Protecting rights of Albanian Emigrants***

#### ***Measure 22***

Establishment of high-level consultative commissions between ministries in charge of migration in Greek and Italian governments, on the basis of existing structures or of new ones to be created.

#### ***Activity***

1. Negotiation and signing of MOU-s among Albanian ministries and homologue ministries in Greece and Italy.
2. Establishment and functioning of these committees on a periodic bases.

#### ***Prerequisites***

Agreement with Italy and Greece

#### ***Responsible Body***

MoFA

#### ***Implementing Body***

MoFA, MoLSA, MoPO, ISI.

#### ***Deadline (duration/finalization)***

Establishment of contacts 2006.

#### ***Human Resources***

Existing Human Resources

#### ***Total Budget***

Existing Budget.

#### ***Possible benchmarks***

Starting of activities of these committees from 2006 and on, if agreed with third countries concerned.

#### ***Status of implementation***

1. Not implemented.
2. Not implemented.

#### ***Remarks***

In the framework of the activities foreseen for the implementation of this measure, only preliminary contacts have been carried out so far, in the occasion of some official visits to Greece of the Prime Minister and the Minister of Labour Social Affairs and Equal Opportunities. No further developments have been accomplished so far and everything is still at the level of agreement in principle. The coordination between the implementing

bodies is completely missing on this issue. Only the MOLSAEO has foreseen the carried out of these activities in its annual programs 2006-2007.

### ***Recommendations***

1. MOFA should play the leading role to organise high-level meetings between representatives of the implementing bodies and the counterpart authorities in Greece and Italy;
2. Text of the two Memoranda of Understanding should be jointly prepared by mixed groups (Greek/Albanian and Italian/Albanian) and the legal procedures for the signature should be activated;
3. Members of the high-level committees should be selected within the existing structures on the basis of the competence on the migration area.

### ***Measure 23***

Information to Albanian emigrant associations in Greece and Italy, about the different ways to lodge complaints about violations of emigrants' rights at national and international level.

#### ***Activity***

Realization of an awareness campaign about the possibilities of appealing against violation of emigrants' rights at national and international bodies in charge of human and migrants rights (*Special Rapporteur for migrants rights of the United Nations, Commissioner for human rights of the Council of Europe, European Court of human rights, European Commission against racism and intolerance (ECRI) of the Council of Europe, Commission for petitions of the European Parliament and Ombudsman of the EU*):

1. Publication of this information in the web site [www.migrantinfo.gov.al](http://www.migrantinfo.gov.al)
2. Publication in Albanian newspapers abroad.
3. Publication and distribution of leaflets related to this information
4. Publication through the web sites established by Albanian communities abroad.

#### ***Prerequisites***

Commission two studies to a Greek and an Italian lawyer about emigrants' rights, taking into consideration the most frequent offences happening to them (see measure 19)

#### ***Responsible Body***

MoFA, Ombudsman

#### ***Implementing Body***

MoFA, MoLSA, Ombudsman.

#### ***Deadline (duration/finalization)***

2006 and ongoing

#### ***Human Resources***

Existing Human Resources

#### ***Total Budget***

Realization of an awareness campaign through this budget:

6000 Euro for the publication in the newspapers abroad

7000 Euro for the publication and distribution of the leaflets

Studies:

2500 Euro for the pre-requisite study in Italy

2500 Euro for the pre-requisite study in Greece

#### ***Possible benchmarks***

1. Different publications related to the protection of the emigrants' rights
2. The studies done in Greece and Italy related to the violations of these rights

### ***Status of implementation***

Not implemented

### ***Remarks***

The measure is not implemented as neither the Ministry of Foreign Affairs nor the People's Advocate have foreseen it due to the lack of funds. However, the consular service in different host countries fulfils on daily basis the task to provide emigrants with information on their rights, although the legal assistance offered is quite poor. Furthermore, contacts between the Albanian and Greek Ombudsman have been established. In addition a certain number of leaflets have been distributed to the Greek Ombudsman and the Albanian Embassy in Greece in order to inform the Albanian emigrants in Greece about their possibility of appealing against the violation of their rights. On top of that, the website of the Ombudsman contains such information. The Ombudsman was not aware of the National Strategy on Migration and its Action Plan. Undoubtedly, an overall awareness campaign on the above-mentioned subject is not carried out. No specific publications are issued and neither specific studies are conducted. The general funds reduction in the State Budget for the implementing bodies played a negative role in their implementation capacity, notably for the Ombudsman Office. As a matter of fact, during 2006, this institution was able to perform routine activity only. Furthermore, technical problems with regard to the use of the website [www.migrantinfo.gov.al](http://www.migrantinfo.gov.al) were encountered and, currently, its updating seems difficult for the bodies concerned.

### ***Recommendations***

1. Body established as responsible for the overall coordination and monitoring of the Strategy and its Action Plan should organise a meeting with the People's Advocate aiming at the familiarisation of its staff with both documents;
2. MOLSAEO should solve the technical problems of the website through either an internal IT specialist or hiring an external one for this purpose;
3. A joint working group, composed by representative of MoFA, MoLSAEO and Ombudsman should be established for the definition of the awareness campaign;
4. Necessary budget should be allocated in the different institutions for both studies and awareness campaign.

## ***Measure 24***

Establishment of contacts with the European Group of Regional and Local Authorities in the field of Immigration (ERLAI) based in Brussels, in which Greek and Italian local authorities are represented, in order to investigate support possibilities for the policy on protection of Albanian emigrants' rights.

### ***Activity***

Establishment of contacts and cooperation with the local and regional authorities, members of ERLAI in Greece and Italy

### ***Prerequisites***

-

### ***Responsible Body***

MoFA

### ***Implementing Body***

MoFA, MoLSA.

### ***Deadline (duration/finalization)***

First semester of 2006.

### ***Human Resources***

Existing Human resources

### ***Total Budget***

7500 Euro (3 missions in Brussels, Greece and Italy)

### ***Possible benchmarks***

Cooperation and number of contacts with regional and local authorities members of ERLAI

### ***Status of implementation***

Not implemented.

### ***Remarks***

Very little has been done for the implementation of this measure. A first contact with ERLAI has been carried out in June 2005, but no further activities have been developed. No doubts, establishing such contacts could make possible a more proficient policy-making for the Albanian authorities, as well as a more efficient intervention in cases of emigrants' rights' violation abroad.

### ***Recommendations***

1. Albanian embassies in Greece and Italy should collect the necessary information for developing further the contacts with members of ERLAI at local level;

2. Ministry of Foreign Affairs should include in the work plan for 2007 the three missions foreseen in this measure, and to undertake all necessary steps to arrange such meetings.



**Measure 25**

Establishment of close contacts between associations of Albanian emigrants and Greek and Italian associations for the protection of immigrants;

**Activity**

1. Identification of Greek and Italian organizations for human rights and immigrant rights protection.
2. Establishment of contacts with these organizations through annual meetings.

**Prerequisites**

-

**Responsible Body**

MoFA, MoLSA.

**Implementing Body**

MoFA, MoLSA.

**Deadline (duration/finalization)**

2005 ongoing.

**Human Resources**

Existing Human resources.

**Total Budget**

5000 Euro for Greece

5000 Euro for Italy

**Possible benchmarks**

The lists of associations including their contacts and addresses

**Status of implementation**

1. Implemented
2. Implemented

**Remarks**

Greek and Italian organisations on human rights, and immigrant rights protection have been identified. A list is available. Continuous contacts with these organisations have been established.

**Recommendations**

-

**Measure 26**

Lodge complaints to the international bodies in charge of protection of migrants' rights by the government.

**Activity**

Report about violations of migrants' rights to Special Rapporteur for Human Rights and Special Reporter of migrants' rights of United Nations, Commissioner for Human Rights of the Council of Europe and European Commission against Racism and Intolerance (ECRI) of the Council of Europe.

**Prerequisites**

-

**Responsible Body**

MoFA

**Implementing Body**

MoFA

**Deadline (duration/finalization)**

2007 ongoing.

**Human Resources**

Existing human resources.

**Total Budget**

Existing budget.

**Possible benchmarks**

Number of reports to international bodies in charge of protection of migrants' rights

**Status of implementation**

Beyond the scope of this report

**Remarks**

-

**Recommendations**

-

### ***Measure 27***

Encourage and support the Albanian migrant associations in Greece and Italy, to demand on the basis of the handbook prepared by the Congress of Local and Regional Authorities of Europe of the Council of Europe, the creation of local consultative bodies for foreign residents in cities where Albanian emigrants concentrate.

#### ***Activity***

1. Identification of the most populated areas with Albanian emigrants in Italy and Greece.
2. Awareness raising and information campaign about the necessity to establish such structures.

#### ***Prerequisites***

-

#### ***Responsible Body***

MoFA

#### ***Implementing Body***

MoFA

#### ***Deadline (duration/finalization)***

2006 ongoing.

#### ***Human Resources***

Existing Human resources

#### ***Total Budget***

10,000 Euro for both activities

#### ***Possible benchmarks***

Continuous collaboration with the established structures of the Albanian associations and local ones

#### ***Status of implementation***

1. Implemented
2. Not implemented

#### ***Remarks***

The most populated areas with Albanian emigrants in Italy and Greece have been identified, but the Ministry of Foreign Affairs has been taken no action to materialize the awareness raising and information campaign. The lack of funds has been brought as one of the reasons for this inactivity.

### ***Recommendations***

1. MoFA (National Institute of Diaspora) should increase contacts with the Albanian migrants associations in the most populated areas with Albanian emigrants, and should distribute to them copies of the handbook prepared by the Congress of Local and Regional Authorities of Europe of the Council of Europe;
2. National Institute of Diaspora should define the scope of the awareness campaign, and allocate the necessary funds in the State budget.

**Measure 28**

Lobby with the Greek and Italian bodies in charge of the transposition of EU directives, on family reunification and on long-term residents status, regarding the adoption of the most favourable provisions for Albanian emigrants.

**Activity**

Follow up of the process of transposition of those directives by Greece and Italy, and necessary remarks about measures' implementation.

**Prerequisites**

-

**Responsible Body**

MoFA, MoEI.

**Implementing Body**

MoFA, MoEI.

**Deadline (duration/finalization)**

2005 and 2006

**Human Resources**

Existing Human resources

**Total Budget**

Existing Budget

**Possible benchmarks**

-

**Status of implementation**

Not implemented.

**Remarks**

Ministry of Integration does not have sufficient staff to accomplish this task considering that the personnel number was reduced as a consequence of the new Government's policy. Also, the Ministry of Foreign Affairs has taken only partial information concerning this issue.

**Recommendations**

1. Government should revise the organisation of the Ministry of Integration, strengthening it with new staff, preferably appointing an expert on migration-related issues;
2. Both the above-mentioned Ministries should organise a meeting with the Greek and Italian Diplomatic representatives in Albania and take information

- on the transposition of the above-mentioned directives, and lobby with them for the application of the most favourable provisions for Albanian emigrants;
3. Ministry of Foreign Affairs should organise a high level meetings in Italy and Greece and lobby for the application of most favourable provisions for Albanian emigrants.

**Measure 29**

- A) Negotiation with Greek authorities on possibilities related to residence permits fee reduction in Greece based on community acquis principles.
- B) Re-evaluation of the possibilities for fee reduction related to the legalization of documents in Albanian embassies in the world.

**Activity**

- A) Establishment of contacts and beginning of negotiations, with the respective Greek authorities.
- B) Involvement of respective institutions in an analysis on fee reduction possibilities in favour of emigrants.

**Prerequisites**

-

**Responsible Body**

MoFA

**Implementing Body**

- A) MoFA
- B) MoFA and line institutions.

**Deadline (duration/finalization)**

2006- and ongoing

**Human Resources**

Existing Human resources

**Total Budget**

Existing Budget

**Possible benchmarks**

Reduction of fees

**Status of implementation**

1. Not implemented.
2. Not implemented.

**Remarks**

Ministry of Foreign Affairs has not included the two above-mentioned activities in its annual work programme. The problem of the high fees concerning the residence permits has been raised several times by the Ombudsman, mostly for the Greek law on Foreigners, but not official actions are undertaken by the Albanian Government.

### ***Recommendations***

1. Ministry of Foreign Affairs through the Albanian Embassy in Greece should, as soon as possible, establish the necessary contacts with the Greek authorities in order to require the treatment of the Albanian emigrants in the Law on Foreigners in conformity with European standards;
2. Best practices on this issue should be considered with regard to the development of the analysis on fee-reduction possibilities, and to be used as a basis for negotiations with host countries.



### ***Measure 30***

Negotiations on signing of bilateral agreements with host countries for the social protection of emigrants, in order to grant them the right to export their benefits

#### ***Activity***

Signing and ratification of agreements with Italy, Greece, and Romania

#### ***Prerequisites***

-

#### ***Responsible Body***

MoFA, MOLSA, IoSI.

#### ***Implementing Body***

MoFA, MOLSA, IoSI.

#### ***Deadline (duration/finalization)***

1. 2006 for Romania
2. 2008-2010 for Greece and Italy.

#### ***Human Resources***

Existing Human Resources

#### ***Total Budget***

Existing budget

#### ***Possible benchmarks***

Number of bilateral agreements signed

#### ***Status of implementation***

1. Implemented.
2. *Beyond the scope of this report.*

#### ***Remarks***

1. The agreement with Romania is signed and ratified in 2006.

#### ***Recommendations***

-

**Measure 31**

Collect voluntary contributions of social insurance.

**Activity**

Signing of agreements between ISI and banks.

**Prerequisites**

Identify the concerned countries.

**Responsible Body**

MoLSA, ISI.

**Implementing Body**

MoFA MoLSA, ISI.

**Deadline (duration/finalization)**

2005 and ongoing.

**Human Resources**

Existing Human resources

**Total Budget**

Existing budget

**Possible benchmarks**

Number of agreements signed

**Status of implementation**

Implemented.

**Remarks**

An agreement between ISI and a branch of the American bank in Greece is signed. Information to the Albanian emigrants in Greece is also provided by the ISI. Currently, 3000 emigrants are benefiting from this service. Technical reasons makes difficult at the moment the signature of agreements with other banks. However, as a consequence of recent developments, the signature of an agreement with a bank in Italy is already planned.

**Recommendations**

-

## ***B.1.2. Mobilising Albanian Communities Abroad***

### ***Measure 32***

Creation of possibilities for the Albanian communities and organizations in the world, to unify under a single Diaspora aiming at the development of Albania

#### ***Activity***

1. Undertake a study covering the dynamics and development of Albanian Diaspora
2. Identification of the states where Diaspora policies should operate with priority.
3. Creation and update of a database reflecting all the Albanian associations abroad, with all their contact details.
4. Creation and update of a database of newspapers, web sites, radio and TV channels of Diaspora, situated and functioning in countries that are considered as being prioritized concerning the national policies of Diaspora.
5. Design an E-Journal on Diaspora, covering all Albanian communities abroad.
6. Promote and support the creation of special groups/associations of Albanian emigrants according to interest, common professions, or geographical location. - Creation of facilities such as the publication in Newspapers or web sites, of the information, enabling the creation of these groups of interests. - Create contacts among these homologue groups in different countries.

#### ***Prerequisites***

2/3/4/5/6 Finalization of the study foreseen in point 1.

#### ***Responsible Body***

National Institute of Diaspora.

#### ***Implementing Body***

National Institute of Diaspora.

#### ***Deadline (duration/finalization)***

1. 2006
2. 2006
3. End of 2006 and ongoing update.
4. End of 2006 and ongoing update.
5. End of 2006 and ongoing update.
6. End of 2006 and ongoing update.

#### ***Human Resources***

1. Two experts
2. Existing resources.
- 3/4/5/- A specialist
6. Existing Resources of National Institute of Diaspora.

#### ***Total Budget***

1. 20 000 Euro

2. No need for additional budget
3. Existing Budget.
4. Existing Budget.
5. 2000 Euro annually for the E-journal and 6000 Euro annually (5 years 40 000 Euro total) for the specialists that will deal with 3/4/5.
6. Existing Budget.

***Possible benchmarks***

1. Finalisation of the study.
2. N/A
3. Number of the associations registered in the database
4. Number of media registered in the database
5. Number of e-journals published.
6. Number of professional/interest groups and associations created, and that of the twinning between homologue groups and associations in other countries.

***Status of implementation***

1-6 not implemented

***Remarks***

The study on the dynamics and development of Albanian Diaspora has not been prepared yet by the newly established National Institute of Diaspora. It has collected partial information only, and it has not been elaborated in a comprehensive report. The non-fulfilment of this preliminary activity affected the implementation process of the other activities as well.

***Recommendations***

1. Budget for the two experts to conduct the study should be foreseen in the State budget 2007;
2. National Institute of Diaspora should formulate as soon as possible the terms of reference for the study, and in cooperation with the Department of the Public Administration to prepare the job description for the two experts to be hired to perform such duty;
3. National Institute of Diaspora should complete the collection of the information related to the associations abroad, including all their contact details, newspapers, websites, radio and TV channels of Diaspora, in order to be able to implement the other activities foreseen under this measure.

### ***Measure 33***

Organization of the first congress of Albanian Diaspora in Tirana, in order to define adequately based on the views of emigrants the new policy on Diaspora. Issues such as language and culture preservation, brain drain phenomenon, as well as investments in Albania should be considered with priority.

#### ***Activity***

1. Promotion of the project of a Diaspora Congress inside and outside Albania through publications of leaflets, brochures, newspapers and other advertising materials to incite interest and participation in the Congress.
2. Identification of human and financial resources necessary for the organization of the Congress and launching of a fundraising campaign.
3. Organization of the congress in Tirana.

#### ***Prerequisites***

Realization of the previous measures no 32/1.

#### ***Responsible Body***

National Institute of Diaspora.

#### ***Implementing Body***

National Institute of Diaspora.

#### ***Deadline (duration/finalization)***

- 1.2006-2007
- 2.2006
- 3.2007

#### ***Human Resources***

- 1/2.Existing Human resources
3. To be identified according to the measure 33, activity 2.

#### ***Total Budget***

- 1.10,000 leaflets - 25,000 Euro
  - 5000 brochure 5,000 Euro
  - 5,000 Euro for other advertising materials.
2. Existing resources
3. To be identified according to the measure 33, activity 2.

#### ***Possible benchmarks***

Number of participants in the Congress

#### ***Status of implementation***

1. Not implemented.
2. Not implemented.
3. *Beyond of the scope of this report.*

***Remarks***

No publicity has been done during 2006, although the Diaspora Congress is among the priorities of the National Institute for Diaspora.

***Recommendations***

1. National Institute of Diaspora should define the details of the promotional campaign, in particular the timeframe and the content of leaflets and brochures;
2. National Institute of Diaspora should include the anticipated activities in both the work programme for 2007, and in its own budget.

### ***Measure 34***

Establishment of a Representing Structure for Diaspora

#### ***Activity***

1. Definition of the status and competencies of the Representing Structure and definition of the way the Representing Structure of Diaspora will be appointed.
2. Establishment of the representative Structure.

#### ***Prerequisites***

1. Study mentioned under measure 32/1.
2. Organization of Diaspora Congress in 2007-2008.

#### ***Responsible Body***

National Institute for Diaspora and Migration.

#### ***Implementing Body***

National Institute for Diaspora and Migration.

#### ***Deadline (duration/finalization)***

1. 2007-2008
2. 2008-2010

#### ***Human Resources***

1. Existing Resources.
2. To be calculated on the basis of the structure appointed.

#### ***Total Budget***

1. Existing budget.
2. To be calculated on the basis of the structure appointed.

#### ***Possible benchmarks***

Appointment of representatives of Diaspora

#### ***Status of implementation***

1-2 *Beyond the scope of this report.*

#### ***Remarks***

-

#### ***Recommendations***

-

### ***Measure 35***

1. Extension of the coverage of the National Albanian State Television and Radio, abroad, where there are communities of Albanian Emigrants.
2. Encourage the National public TV channel to increase numbers of programs on Diaspora.

#### ***Activity***

1. Signing of a Broadcasting Contract with Eutelsat Satellite for coverage extension.
2. Increase the number of programmes for Albanian emigrants/Communities abroad.
3. Improved cooperation with the Albanian Medias, related to the production of joint programmes and broadcasting of programmes produced by RTVSH.
4. Conclude agreements with the main host countries to broadcast the programmes produced on Albanian Communities/Diaspora.

#### ***Prerequisites***

1. Identification of the countries not covered by RTVSH.

#### ***Responsible Body***

RTVSH

#### ***Implementing Body***

RTVSH, National Institute of Diaspora.

#### ***Deadline (duration/finalization)***

1. 2006-2007.
2. 2006 ongoing.
3. 2006 ongoing.
4. 2006 ongoing.

#### ***Human Resources***

1. Existing resources.
2. Existing resources.
3. Existing resources.
4. Existing human resources.

#### ***Total Budget***

1. 44 000 Euro annually for America and Australia; Total 220.000.
2. 10000 Euro for a programme per year (5 programmes-50 000 Euro).

#### ***Possible benchmarks***

1. Extension of coverage area
2. Number of joint programmes
3. Number of programmes on Diaspora broadcasted in host countries' media

#### ***Status of implementation***

- 1-4 Not implemented.



### ***Remarks***

Even though RTVSH has developed during the past years migration oriented activities, they have not been conducted with regard to the activities foreseen in the National Action Plan on Migration. As a matter of fact, RTVSH is in the preliminary phase on concluding the contracts for the coverage area enlargement to North America (USA and Canada), and in the evaluation phase of the offers to air RTVSH programmes via Internet. RTVSH, notably its satellite channel, has a daily large amount of programmes focused on migration issues. Concerning the collaboration with other media, RTVSH has its own experience with the programme “Passport” produced in collaboration with the Association of the Albanian emigrants Association “Skanderbeu” in Great Britain, and it focused on the Albanian emigrants in that country. The cooperation with other institutions, in particular with the National Institute of Diaspora and the Ministry of Culture, was missing.

### ***Recommendations***

1. RTVSH should establish regular meetings with the National Institute of Diaspora to define subjects of major interest for the designation of specific programmes for the Albanian Diaspora;
2. RTVSH, in cooperation with the National Institute of Diaspora, should establish contacts with the Embassies in Tirana in order to start the procedures for the signature of the agreements with the main host countries and to broadcast the programmes produced on Albanian Communities/Diaspora.

### ***Measure 36***

Setting the conditions for the education of emigrants in their mother tongue (priority to be given to Greece and Italy).

#### ***Activity***

1. Identification of needs for Albanian Language Courses in the host countries (following the research of measure 32, activity 1);
2. Drafting of standard curricula necessary for the teaching in Albanian of emigrants and their children.
3. Provision of books and necessary materials.
4. Training of teachers
5. Signing of Collaboration agreements with education institutions in host countries, regarding the establishment of the courses in Albanian Language in their existing schools/education facilities.

#### ***Prerequisites***

1. Carry out the research mentioned in measure 32, activity 1, where to be identified is:
  - a) Number of existing courses in Albanian Language.
  - b) The number of Albanian children for whom the books will be published.

#### ***Responsible Body***

1. National Institute of Diaspora
2. MOES.
3. MOES
4. MOES
5. MOES

#### ***Implementing Body***

1. National Institute of Diaspora
2. MOES.
3. MOES
4. MOES
5. MOES, National Institute of Diaspora.

#### ***Deadline (duration/finalization)***

1. 2006
2. 2006
3. 2006-2007
4. 2006-2007
5. 2006 and ongoing.

#### ***Human Resources***

1. Existing Resources.
2. Existing Resources.
3. Existing Resources.
4. Existing Resources.

## 5. Existing Resources.

### ***Total Budget***

1. See measure 32, activity.
2. There isn't needed additional budget.
3. 1.8 million Euro for 300 000 textbooks
4. 20.000 Euro
5. Existing budget.

### ***Possible benchmarks***

- Number of new courses opened.
- Number of textbooks produced for emigrants
- Number of teachers trained
- Number of signed agreements

### ***Status of implementation***

1. Not implemented.
2. Implemented.
3. Implemented.
4. Implemented.
5. Not Implemented.

### ***Remarks***

Ministry of Education and Science has formulated the standard curricula. A specific video containing an Albanian language course for Albanians abroad is prepared by the Ministry of Education and Science, and to date it has been distributed to two schools in the USA, and in one in Greece. The video is expected to be distributed in other countries, where the Albanian emigrants presence is higher. Also, a specific book is published and distributed. Furthermore, training of teachers is carried out. On the contrary, collaboration agreements with education institutions in host countries have not been signed.

### ***Recommendations***

1. Ministry of Education and Science and the National Institute of Diaspora should create a joint working group for the continuous updating of the training needs, curricula and books for language courses in host countries;
2. National Institute for Diaspora should speed up the procedures for the finalisation of the study foreseen in the measure n. 32, including the two data on the number of existing courses in Albanian Language to be offered, and the number of Albanian children whom the books will be published for;
3. Ministry of Education and Science, in cooperation with the National Institute of Diaspora, should establish all necessary contacts with the Embassies present in Tirana concerning the signing of Collaboration agreements with education institutions in host countries on establishing courses in Albanian Language in their existing schools/education facilities.

### ***Measure 37***

Drive Albanian Diaspora to Albania for tourism as well as for investment purposes.

#### ***Activity***

1. Information on Albanian Tourism and Investment opportunities in Albania to be published in the web sites of The national Institute of Diaspora and Migration, E-Journal, as well as in leaflets and brochures, to be disseminated.
2. Organization of meetings, such as "Albanian Days" or other activities for the Albanian Diaspora regarding the promotion of Albanian tourism as well as investment facilities in Albania.

#### ***Prerequisites***

Identify Albanian Communities interested for Tourism and Investment, based on the study referred to in measure No.32/1.

#### ***Responsible Body***

Ministry of Tourism

#### ***Implementing Body***

Ministry of Tourism, Institute of Diaspora, MoFA.

#### ***Deadline (duration/finalization)***

2006 – On going

#### ***Human Resources***

Existing human resources

#### ***Total Budget***

1. Existing resources of Ministry of Tourism
2. 25 000 Euro per activity ("Albanian days") = 100 000 Euro.

#### ***Possible benchmarks***

A number of "Albanian days" are organised. Number of Albanians coming from Diaspora to visit Albania for tourism or investment purposes increased.

#### ***Status of implementation***

1. Not implemented.
2. Not implemented.

#### ***Remarks***

Ministry of Tourism, Culture, Youth and Sport was not aware of the National Action Plan on Migration. Therefore, no action is carried out for concerning the implementation of this measure.

### ***Recommendations***

1. In the forthcoming meeting, the Inter-ministerial Committee on Migration should emphasise the binding character of the Strategy and its National Action Plan on Migration;
2. National Institute for Diaspora should accelerate the procedures for finalising the study foreseen in the measure no. 32, in order to provide the Ministry of Tourism, Culture, Youth and Sport with necessary data concerning the Albanian Communities interested in Tourism and Investment in Albania;
3. On the basis of the study anticipated in the measure 32, the Ministry of Tourism, Culture, Youth and Sport, in cooperation with the National Institute of Diaspora, should plan a calendar of “Albanian Days” to be organized in host countries during 2007, defining, as soon as possible, their content and target.

### ***B.1.3. Drive remittances to investment into business***

#### ***Measure 38***

Elaboration of the part of the Action Plan on remittances

#### ***Activity***

Analyze the final report of the study, and completion of measures on remittances

#### ***Prerequisites***

Study undertaken by IOM by the end of June.

#### ***Responsible Body***

To be identified.

#### ***Implementing Body***

To be identified.

#### ***Deadline (duration/finalization)***

July 2005

#### ***Human Resources***

Existing Human resources

#### ***Total Budget***

Existing Budget

#### ***Possible benchmarks***

Number of measures of the Action Plan regarding remittances, which will be completed

#### ***Status of implementation***

Not implemented.

#### ***Remarks***

Although the study on remittances is carried out by IOM in the framework of the CARDS 2001 Project “Establishment of a Migration Management System in Albania: drafting the National Strategy on Migration and its Action Plan”, funded by the European Commission, no measures on remittances is added to the Action Plan. The Ministry of Labour, Social Affairs and Equal Opportunities considered the study as too theoretical and not adequate for its “translation” into the Action Plan. In addition, only an amendment to the National Action Plan could allow the incorporation of the new measures into it, but to date the Inter-ministerial Committee on Migration has never convened after the latest meeting held before the approval of the Action Plan in May 2005.

Considering the importance of remittances into the Albanian economy, the non-implementation of this measure is currently, without doubt, a serious gap in the Action Plan. As a consequence, IOM, with ILO financial support and of the Italian Ministry of

Foreign Affairs, is implementing a project aiming at the elaboration and official approval of such a part of the Action Plan. The Ministry of Economy is the main Albanian counterpart. It is difficult to understand why the Albanian Government was not able to formulate and approve autonomously the above-mentioned measures of the Action Plan, using the study on remittances, on which around 30.000 Euro are spent, but it still needs the international assistance and a new project to materialise it, probably accompanied with useless waste of time and donors' funds. These funds would better be used for the implementation.

### ***Recommendations***

1. Inter-ministerial Committee on Migration should identify the responsible body/-ies to implement the policy on remittances. A leader in the sector is necessary;
2. In the forthcoming meetings, the Inter-ministerial Committee on Migration should emphasise the importance of the remittances issue, and to urge the stakeholders to complete as soon as possible the related measures of the Action plan;
3. In the implementation of the new Project, the institutions concerned should work in close cooperation with IOM experts without losing the ownership of the material elaborated.

## ***B.2. Organizing an adequate emigration policy***

### ***B.2.1. Management of circular migration***

#### ***B.2.1.1. Access to information on emigration possibilities***

#### ***Measure 39***

Develop an information policy on migration, targeting every category of migrants, not only workers.

#### ***Activity***

1. Appoint focal points in every involved ministry and relevant institutes. These focal points will be responsible for the provision of information concerning emigration, Diaspora and immigration.
2. Create and maintain a website [www.migrantinfo.gov.al](http://www.migrantinfo.gov.al) on the Internet, giving detailed information on migration.
  - a. The focal points select the relevant information according to their working field and keep the information up to date.
  - b. The IT experts of each involved line ministry or institute have access to the site to add the information provided by the focal points.
  - c. Create a link on the website of each line ministry and institute to the website for migration.
3. Plan and launch a governmental information campaign on:
  - Issues regarding emigration and immigration
  - Large-scale promotion of emigrants registration and its goals (ref to measure 41)
  - The existence of information sources on migration (migration counters, website etc)

Through:

Organization of radio and TV publicity

Publication and dissemination of leaflets and brochures

Organization of campaigns in schools and Universities throughout Albania, and especially in those areas characterized by high emigration flows.

#### ***Prerequisites***

1. Make by-laws on the basis of Law 9000 on the Functioning of the Council of Ministers, in order to change the regulation of each ministry with the new task for an expert/specialist, dealing with the migration information policy.
2. **b** technical expertise (IT expert) available to add the information to the site, training to be provided, equipment to be in place.
2. **c**. Website of each line ministry or institute should be (re)-activated.

#### ***Responsible Body***

MoLSA until the creation of the agency envisaged in measure 62.

#### ***Implementing Body***

Line ministries and institutes.



***Deadline (duration/finalization)***

1. June 2005
2. June 2005, maintenance ongoing.

***Human Resources***

Existing Human Resources

***Total Budget***

- 1.Existing budget.
- 2.Existing budget.
3. To be calculated according to the plan for the campaign.

***Possible benchmarks***

-

***Status of implementation***

1. Implemented.
2. Partially implemented.
3. Implemented.

***Remarks***

Focal points in every involved ministry and relevant institutions are appointed. The website is created, but it does not contain complete information. As a matter of fact, technical problems are encountered and, according to the Ministry of Labour, Social Affairs and Equal Opportunities, it is currently impossible to update the information contained in this website. A governmental information campaign is undertaken through TV. For the first time, the registration of emigrants, especially of the emigrants that have the documents for emigrating and of the returnees, is promoted. Their registration will depend, among others, upon the implementation of the project on the Civil Registry reform.

***Recommendations***

1. Ministry of Labour, Social Affairs and Equal Opportunities should make sure that an IT expert would solve the technical problems faced in using the website, and it should coordinate the updating of the information it includes;
2. All focal points should cooperate with the Ministry of Labour, Social Affairs and Equal Opportunities for the constant update of the website.

**Measure 40**

Creation and appointment of Migration Counters having institutional capacity to provide information on migration

**Activity**

Establishment of the necessary infrastructure in the Regional Employment Offices, including:

- a. Computer equipment, and
- b. Training of the staff.

**Prerequisites**

Reference to measure no. 9 regarding the capacity building of the NES.

**Responsible Body**

MoLSA

**Implementing Body**

MoLSA, NES.

**Deadline (duration/finalization)**

2006-2010

**Human Resources**

Existing Human Resources

**Total Budget**

- a. 30,000 Euro (for 15 computers)
- b. 14,000 Euro

**Possible benchmarks**

-

**Status of implementation**

Partially implemented.

**Remarks**

The measure is implemented in some Pilot Regional offices.

**Recommendations**

1. Ministry of Labour, Social Affairs and Equal Opportunities, in cooperation with the National Employment Service, should evaluate the experience of the pilot Regional offices, and use the best practices to establish an efficient system in the remaining offices;

2. Ministry of Labour, Social Affairs and Equal Opportunities should forecast the necessary budget for the equipment to be purchased for the implementation of this measure;
3. Ministry of Labour, Social Affairs and Equal Opportunities, in cooperation with the Training Institute of the Public Administration, should define the curricula for the training of the staff, to be hired in the framework of the implementation of this measure.

### ***B.2.1.2. Registration of migrants***

#### ***Measure 41***

Expand the National Civil Status Register with emigrants' data.

#### ***Activity***

1. Create the legal basis for the registration of emigrants in the Law on Civil Status and regulate the technical specification in by-laws, on the basis of the following principles (reference to measure 58 – 6). a. Citizens have the legal obligation to declare their departure at the Civil Status Office if they intend to leave for 12 months or more. b. Registration of the address abroad through the embassies or consulates is compulsory for new emigrants leaving the country after a date, which has to be determined. c. Registration for the emigrants, who have already left the country before the date mentioned under point 2, is voluntary d. The possibility to vote abroad through the embassies and consulates, which will be, introduced (see measure 58-4) will only be possible on the basis of registration
2. Identify and programme the establishment of the required network and infrastructure, on the basis of the feasibility study.
3. Finalization of the creation and implementation of the system.

#### ***Prerequisites***

The National Civil Register should be computerized. Feasibility study of IOM to be finished within end of June 2005

#### ***Responsible Body***

MoLGD

#### ***Implementing Body***

MoLGD, MoFA, MoLSA.

#### ***Deadline (duration/finalization)***

1. 2006
2. December 2005
3. 2007

#### ***Human Resources***

1. Existing resources
- 2/3. To be planned on the basis of the study.

#### ***Total Budget***

1. Existing budget.
- 2/3 To be calculated in the study

#### ***Possible benchmarks***

-

***Status of implementation***

1. Not implemented.
2. Not implemented.
3. *Beyond the scope of this report.*

***Remarks***

Although, IOM study is finalised in 2005, this measure still remains as a project, and there are no concrete actions taken in that direction by the responsible body.

***Recommendations***

- |   |
|---|
| <ol style="list-style-type: none"><li>1. The Ministry of Interior, in cooperation with the Ministry of Foreign Affairs and the Ministry of Labour, Social Affairs and Equal Opportunities, should establish a joint working group to evaluate the study prepared by IOM in order to develop the legal basis for the registration of emigrants in the “Law on Civil Status”, and to regulate the technical specifications in specific by-laws.</li></ol> |
|---|

## ***Measure 42***

Data Collection, additional to the data in the Civil Register, necessary for migration management through registration at the embassies and consular services

### ***Activity***

1. Definition of the data to be collected
2. Identify and programme the establishment of the required network and infrastructure, on the basis of the feasibility study mentioned under measure 41.
3. Finalization of the creation and implementation of the system

### ***Prerequisites***

Feasibility study of IOM. To be finished by end of June 2005.

### ***Responsible Body***

MoFA, MoLSA.

### ***Implementing Body***

MoLSA, MoFA, INSTAT.

### ***Deadline (duration/finalization)***

1. May 2005
2. December 2005
3. 2007

### ***Human Resources***

To be defined on the basis of the study

### ***Total Budget***

To be calculated in the study

### ***Possible benchmarks***

-

### ***Status of implementation***

1. Implemented.
2. Not implemented.
3. *Beyond the scope of this report.*

### ***Remarks***

Data to be collected have been defined. IOM Study on the Registration of the Albanians abroad is completed, but to date no steps have been undertaken by the Government to use it for programming Government's activities in this area.

### ***Recommendations***

1. Ministry of Labour, Social Affairs and Equal opportunities, in cooperation with the Ministry of Foreign Affairs and INSTAT, should establish a working group for identifying and programming the establishment of the network and infrastructure required based on IOM feasibility study;
2. The three above-mentioned institutions should forecast in their budget the necessary funds for the implementation of the system (donors' assistance might be also required).

### ***B.2.1.3. Bilateral Labour agreements as a tool for circular migration***

#### ***Measure 43***

Review existing framework bi-lateral agreements on seasonal Labour migration with Greece and Italy. Negotiate framework labour agreements with those countries. (Specific arrangements for vocational training should be included into these agreements or negotiated separately).

#### ***Activity***

Engage into negotiations with Greece and Italy, by sending a group of experts 2 to 3 times a year, to visit Italy and Greece.

#### ***Prerequisites***

-

#### ***Responsible Body***

MoLSA, MoFA

#### ***Implementing Body***

MoLSA, MoFA

#### ***Deadline (duration/finalization)***

Italy: 2006 (objective)

Greece: 2006/2007 (objective)

#### ***Human Resources***

Existing Resources

#### ***Total Budget***

Existing budget

#### ***Possible benchmarks***

Contacts with concerned governments

#### ***Status of implementation***

Implemented.

#### ***Remarks***

The Government is engaged in such negotiations.

#### ***Recommendations***

-



**Measure 44**

Carry out jointly with Italy and Greece, special pilot projects in order to facilitate the implementation of labour agreements. Try to benefit from special and provisional legislation of the hosting countries defined for labour shortages.

**Activity**

- 1) Establishment of contacts with Italy (MoLSA) and jointly elaborate a project for the selection, training in Albania, and then employment in Italy of a special quota of Albanian workers, in accordance with art. 23 (ref: preference rights) of Law 286/98 (Italian Alien Law)
- 2) Promotion of a pilot project for the employment of Albanian Nurses into the Italian market as per art 27 para. r-bis of Italian Alien Law 286/98.
- 3) Initiate similar projects with Greece

**Prerequisites**

-

**Responsible Body**

MoLSA

**Implementing Body**

MoLSA, MoFA.

**Deadline (duration / finalization)**

1. July - December 2005
2. ongoing.

**Human Resources**

As foreseen in the pilot project

**Total Budget**

As foreseen in the pilot project

**Possible benchmarks**

Number of pilot projects

**Status of implementation**

1. Not implemented.
2. Not implemented.
3. Not implemented.

**Remarks**

The Government has not been successful in the implementation of this measure.

### ***Recommendations***

1. Ministry of Labour, Social Affairs and Equal Opportunities should establish contacts with the respective Ministries in Italy and Greece either through their diplomatic channels present in Albania or through the Albanian representatives in these countries, aiming at jointly preparing the conditions for implementing those pilot projects;
2. Regarding the training courses to be offered in Albania, donors' support might be required.

**Measure 45**

Try to promote circular migration between Albania and third countries by measures favouring mobility of Albanian emigrants through the right to return to their host country by avoiding loss of long term residence status, in case of absence for more than one year

**Activity**

Negotiate bilateral agreements, in priority with Greece and Italy

**Prerequisites**

-

**Responsible Body**

MoFA

**Implementing Body**

MoFA, MoLSA.

**Deadline (duration/finalization)**

2006 ongoing

**Human Resources**

Existing resources.

**Possible benchmarks**

Number of agreements

**Total Budget**

Existing budget.

**Status of implementation**

Not implemented.

**Remarks**

According to the Ministry of Foreign Affairs, currently the circular migration is not among the priorities of the Greek and Italian Governments. Therefore, in such circumstances, presently no negotiations on bilateral agreements in this area are taking place.

**Recommendations**

1. Ministry of Foreign Affairs, in cooperation with the Ministry of Labour, Social Affairs and Equal Opportunities, should organise high-level meetings with the Italian and Greek authorities in order to lobby with them for the adoption of measures favouring Albanian emigrants mobility.

### ***Measure 46***

Explore further possibilities to conclude agreements with other countries on the basis of the reciprocal best interest and needs.

#### ***Activity***

Establish a focal point within MoFA to follow the developments of foreign Labour markets and provide the information to MoLSA.

#### ***Prerequisites***

-

#### ***Responsible Body***

MoFA (consulates)

#### ***Implementing Body***

MoLSA, MoFA.

#### ***Deadline (duration/finalization)***

2005 ongoing

#### ***Human Resources***

Existing resources.

#### ***Total Budget***

Existing budget.

#### ***Possible benchmarks***

Reports on Foreign labour markets

#### ***Status of implementation***

Not implemented.

#### ***Remarks***

It is still unclear which is the real focal point for the implementation of this measure within the Ministry of Foreign Affairs. As a consequence, no information has been provided to the Ministry of Labour, Social Affairs and Equal Opportunities concerning this issue. The coordination and cooperation between the Ministry of Labour, Social Affairs and Equal Opportunities and the National Institute of Diaspora is very poor.

#### ***Recommendations***

1. Ministry of Foreign Affairs should clarify internally, which is the responsible body for following the developments of foreign labour markets and it should appoint it officially as a focal point;
2. Structure appointed as focal point, in order to implement this measure, should as soon as possible get in contact with the Albanian Embassies abroad, in particular

in the neighbouring countries, and to collect the necessary information about the respective labour markets, and should also establish contacts with the foreign institutions directly linked to the labour market.

#### ***B.2.1.4. Albanian Students in the EU Member States***

##### ***Measure 47***

Orientation of programmes/donors offering scholarships abroad, according to necessary expertise areas for Albania

##### ***Activity***

1. Commission an in depth study on the number of Albanian students attending universities abroad, and the study areas where they are being specialized.
2. Identification of study and expertise areas, which are most necessary for Albania, and orientation of donors/programmes according to these identified areas.
3. Lobby of the Albanian Authorities so that the condition on Return is included, for a period not less than a year, regarding all students being granted scholarships for abroad, in the framework of study programmes of various donors in Albania.

##### ***Prerequisites***

1. Establishment of a working group to undertake the study and definition of the methodology to be used for it.
2. Establishment of a Scientific Committee with a broader base for the identification of expertise areas most necessary in Albania.

##### ***Responsible Body***

1. MoES
2. MoLSA, MoE.
3. MoES

##### ***Implementing Body***

1. MoES, MoFA, INSTAT.
2. MoES/ Line ministries.
3. MoES, MoFA, MoYCS.

##### ***Deadline (duration/finalization)***

1. 2006
2. 2006
3. 2006 ongoing

##### ***Human Resources***

1. An expert.
2. Existing resources.
3. Existing resources.

##### ***Total Budget***

1. 10 000 Euro.
2. Existing budget.
3. Existing Budget.

***Possible benchmarks***

Number of the programmes/donors that have included the condition on Return, at granting scholarship for studies abroad

***Status of implementation***

1. Not implemented.
2. Not implemented.
3. Not implemented.

***Remarks***

None of the respective Ministries have planned those activities. Neither the Ministry of Education nor the Ministry of Economy were aware of this measure, whereas the Ministry of Labour, Social Affairs and Equal Opportunities does not have sufficient funds and human resources available for the implementation. As a matter of fact, all the Ministries are suffering from the staff reduction, and oftentimes are facing with difficulties in coping with non-routine issues.

***Recommendations***

1. Ministry of Education and Science, in cooperation with the Ministry of Foreign Affairs and INSTAT, should establish a working group to define the terms of reference for the study on the number of Albanian students attending universities abroad, and the study areas where they are being specialized. The working group should also support the work of the expert to be hired for this purpose;
2. Ministry of Education and Science should foresee this activity in its annual budget;
3. Ministry of Economy should take the leading in establishing the Scientific Committee with a wider base to identify the expertise areas most necessary in Albania.

**Measure 48**

Promotion of programmes/donors that offer scholarships abroad, for Albania, such as Tempus and Erasmus Mundus programmes

**Activity**

Organization of workshops providing information to Universities, aiming at the recognition of these programmes from students and professors in general

**Prerequisites**

-

**Responsible Body**

MoES

**Implementing Body**

MoES, Albanian Universities, Coordination offices of Albanian programmes

**Deadline (duration/finalization)**

2006 ongoing in all academic years

**Human Resources**

Existing resources

**Total Budget**

6000 Euro annually for the organization of informative workshops in all universities in the country (total 30 000 Euro)

**Possible benchmarks**

Number of students and professors applying for, and the number of applicants benefiting for these programmes

**Status of implementation**

Not implemented.

**Remarks**

The Ministry of Education and Science was not aware of the measure, and it had not planned the anticipated activities in its annual work programme.

**Recommendations**

1. In the forthcoming meetings, the Inter-ministerial Committee on Migration should emphasise the binding character of the Strategy and its National Action Plan on Migration;
2. Ministry of Education and Science, in cooperation with representatives of the Albanian Universities and the coordination offices of Albanian programmes, should establish a working group for defining and organising



informative workshops, which might be organised at the beginning of each academic year;

3. Ministry of Education and Science should foresee the necessary budget, in case the donors' assistance is not available.

### ***Measure 49***

Negotiations with countries characterized by high students' flows, such as Italy. The aim is to facilitate Albanian students' mobility, through issuance of visas valid for not less than a year, or through acceleration of procedures regarding issuance of necessary residence permits.

#### ***Activity***

1. Undertake an evaluation report on the difficulties incurred by Albanian students, to come freely in their home country, and the factors affecting this situation.
2. Lobby with host countries (especially with Italy) in order to take measures and enable free mobility for students.

#### ***Prerequisites***

Finalization of the evaluation report in point 1

#### ***Responsible Body***

1. MoFA
2. MoFA

#### ***Implementing Body***

1. MoFA. Ombudsman
2. MoFA, MoEI, MoES.

#### ***Deadline (duration/finalization)***

1. 2006
2. 2006 ongoing until the solution of the problem

#### ***Human Resources***

1. An expert to undertake the evaluation report
2. Existing Human resources

#### ***Total Budget***

1. 3000 Euro
2. Existing budget.

#### ***Possible benchmarks***

1. Evaluation report
2. Changing / acceleration of the process for the provision with necessary documentation

#### ***Status of implementation***

1. Not implemented.
2. Not implemented.

***Remarks***

Ministry of Foreign Affairs has not prepared yet an assessment report on the difficulties the Albanian students are facing with to freely come in their home country, and the factors affecting this situation to be used as a basis for lobbying with host countries and to take measures enabling free mobility for students. As a consequence, the second activity has not been carried out.

***Recommendations***

1. Ministry of Foreign Affairs should cooperate with the Ombudsman Office for defining the terms of reference (ToR) for the assessment report;
2. Ministry of Foreign Affairs, in cooperation with the Department of Public Administration, should define the job description for the expert to be hired for preparing the assessment report;
3. Ministry of Foreign Affairs, the Ministry of Integration and the Ministry of Education and Science should develop a common policy and language for lobbying with the host countries.

### ***B.2.1.5. Visa policy***

#### ***Measure 50***

Engage into negotiations with the EU and its Member States to request visa facilitation in the short and medium term, taking into account the view of a waiver in the long term;

#### ***Activity***

Engage into bilateral diplomatic negotiations for visa facilitations obtainment, with:

A. countries of the region: Serbia, Bosnia-Herzegovina, Croatia, Macedonia, Bulgaria, Romania

B. EU countries, with the following countries as priority Italy, Greece, UK, Belgium, Germany, The Netherlands, France, Sweden

#### ***Prerequisites***

-

#### ***Responsible Body***

MoFA

#### ***Implementing Body***

MoFA, MoEI.

#### ***Deadline (duration/finalization)***

A. From 2005 ongoing.

B. 2006.

#### ***Human Resources***

Existing resources

#### ***Total Budget***

Existing budget

#### ***Possible benchmarks***

The number of bilateral meetings

#### ***Status of implementation***

Implemented.

#### ***Remarks***

The Albanian Government is engaged in negotiations for visa facilitation, in particular with EU. Negotiations were held in May and November 2006. From December 2006 until Spring 2007, there will be technical negotiations. Agreement signature and its Ratification are expected at the end of 2007 and its entrance into force on 1 January 2008.

#### ***Recommendations***

-

**Measure 51**

Engage into further efforts to facilitate local border traffic taking into consideration the future EU regulation for local border traffic.

**Activity**

Negotiation and conclusion of an agreement with Montenegro on free local border traffic (with special document instead of passport)

**Prerequisites**

-

**Responsible Body**

MoFA

**Implementing Body**

MoFA, MoPO

**Deadline (duration/finalization)**

2006/2007

**Human Resources**

Existing resources

**Total Budget**

Existing budget

**Possible benchmarks**

-

**Status of implementation**

Not implemented.

**Remarks**

No agreement with Montenegro on free local border traffic is concluded. However, another agreement is signed allowing the Albanian citizens to enter Montenegro having no need for visa.

**Recommendations**

1. Ministry of Foreign Affairs, in cooperation with the Ministry of Interior, should prepare a draft agreement on free local border traffic and organise high-level meetings with Montenegrin Authorities in order to start the negotiations.

**Measure 52**

Facilitation of visa applications by improving the national administrative procedures that the citizen must follow to obtain the required documentation;

**Activity**

Identification of the most problematic, time-consuming procedures and their improvement in line with measure B.4.1 of the Anti-corruption Action Plan

**Prerequisites**

-

**Responsible Body**

To be identified.

**Implementing Body**

To be identified.

**Deadline (duration/finalization)**

2006

**Human Resources**

Existing resources

**Total Budget**

Existing budget

**Possible benchmarks**

-

**Status of implementation**

Not implemented.

**Remarks**

No responsible body is identified. A coordinating and monitoring body for the Action Plan to make possible the implementation of this measure is missing.

**Recommendations**

1. In its forthcoming meeting, the Inter-ministerial Committee on Migration should identify the competent body for the implementation of this measure. It is recommended that, in consideration of its role, the Ministry of Foreign Affairs is taken into consideration as institution responsible for the implementation of this measure.

**Measure 53**

Fight the phenomenon of abusers (private individuals not related to state institutions) in front of the embassies and consulates, for instance individuals selling application forms that can be obtained free of charge.

**Activity**

Police measures, enforcement and prosecution

**Prerequisites**

-

**Responsible Body**

MoPO

**Implementing Body**

MoPO, MOFA.

**Deadline (duration/finalization)**

2005 and ongoing.

**Human Resources**

Existing resources

**Total Budget**

Existing budget.

**Possible benchmarks**

-

**Status of implementation**

Not checked.

**Remarks**

-

**Recommendations**

-

### ***B.2.2. From brain drain to brain circulation***

#### ***Measure 54***

Development of policies aiming at high skilled emigrants' return

#### ***Activity***

- I. Assess the offer and demand for highly skilled personnel on the Albanian Labour market
- II. Set up contacts among the emigrants and (big) enterprises in Albania, by creating an online database with companies and CV's of emigrants

#### ***Prerequisites***

Definition of the term high skilled emigrants by setting criteria

#### ***Responsible Body***

MoLSA.

#### ***Implementing Body***

MoLSA, MoE.

#### ***Deadline (duration/finalization)***

- I. 2005
- II. ongoing

#### ***Human Resources***

Existing resources.

#### ***Total Budget***

- I. Existing budget
- II. 10.000 Euro

#### ***Possible benchmarks***

-

#### ***Status of implementation***

1. Implemented.
2. Not implemented.

#### ***Remarks***

1. The offer and demand for highly skilled personnel in the Albanian labour market is assessed in the periodical analysis of the labour market.
2. The online database with companies and CV's of emigrants is not established yet, but the Ministry of Labour, Social Affairs and Equal Opportunities is working to make possible the implementation of such activity.



### ***Recommendations***

1. Ministry of Labour, Social Affairs and Equal Opportunities should cooperate with the Ministry of Economy, Trade and Energy for the designing of the database;
2. Ministry of Labour, Social Affairs and Equal Opportunities should foresee the necessary budget for this activity, in case the donors' assistance is not available.

**Measure 55**

Development of policies to avoid brain drain

**Activity**

I. Increasing the job offer in Albania:

- a. Attract foreign investors to invest in Albania.
- b. Stimulate the investors to recruit their staff locally or from the Albanian Diaspora abroad.

**Prerequisites**

Approval of the new Law "On employment promotion"

**Responsible Body**

MoLSA.

**Implementing Body**

MoFA, MoLSA, NES, MoE, Agency for Foreign Investments promotion LGU.

**Deadline (duration/finalization)**

2005 - 2010

**Human Resources**

Existing resources.

**Total Budget**

Existing budget

**Possible benchmarks**

-

**Status of implementation**

Implemented.

**Remarks**

The Government is carrying out the initiative "Albania one Euro" in order to attract foreign investments.

**Recommendations**

-

**Measure 56**

Implementation of existing and future national programmes /of joint programmes with international institutions, in order to attract high skilled emigrants to work in Albania

**Activity**

Establishment of cooperation with national and international institutions to implement these programmes, for instance with UNDP to develop TOKTEN for Albania

**Prerequisites**

-

**Responsible Body**

MoLSA.

**Implementing Body**

MoLSA.

**Deadline (duration/finalization)**

2005 -2010

**Human Resources**

Existing resources.

**Total Budget**

Existing budget

**Possible benchmarks**

-

**Status of implementation**

Not implemented.

**Remarks**

The Ministry of Labour Social Affairs and Equal Opportunities has not established yet any contact with national and international institutions to implement programmes focused on attracting high skilled emigrants to work in Albania. The reduction of staff in the Migration Policies Directorate was one of the reasons for the non-implementation of this measure.

**Recommendations**

1. Ministry of Labour Social Affairs and Equal Opportunities, in cooperation with the Department of Public Administration, should work to arrange meetings with international organisations in order to develop projects for attracting the highly skilled emigrants to Albania.

***C. The elaboration of an appropriate Legal Framework for emigration and immigration.***

***Measure 57***

Ratification of International Instruments in Migration Area

***Activity***

Take measures for the finalization of ratification procedures regarding the following international instruments.

1. ILO Convention no.143 "On Migrant workers";
2. Ratification of Council of Europe Convention on "The Legal status of Migrant Workers";
3. Ratification of the UN Convention "For the Protection of rights of all migrant workers and their families".

***Prerequisites***

Completion of an evaluation report on the effects of the ratification of such International Instruments will have on the national legislation.

***Responsible Body***

MoLSA / MoFA.

***Implementing Body***

MoLSA / MoFA.

***Deadline (duration/finalization)***

1. October 2005;
2. April 2006;
3. December 2006

***Human Resources***

Existing resources.

***Total Budget***

Existing resources.

***Possible benchmarks***

Ratification of the Conventions

***Status of implementation***

Implemented.

Implemented

*Beyond the scope of this report*

***Remarks***

Both ILO Convention no.143 "On Migrant workers", and the Council of Europe Convention on "The Legal status of Migrant Workers" are ratified.

***Recommendations***

-

### ***Measure 58***

Approval of new necessary laws and by-laws in emigration area as well as amendment of existing laws and by-laws in emigration area to ensure a widening of emigrants' protection area in accordance with international standards.

#### ***Activity***

1. Approval of amendments of Law no. 9034/2003 "On emigration of Albanian citizens for employment purposes".
2. Inclusion of the obligation of the Albanian Government related to facilitation of Albanian language learning for the Albanian emigrants and their families in the Law On Pre University Education, in compliance with Article 11(2) of the Law On emigration of Albanian citizens for employment purposes.
3. Undertake a study for the identification of facilities enabling emigrants to vote abroad. Amendment of the electoral code and other acts pursuant to article 5(1) of the Law On Emigration, On the Execution of the right to vote abroad for the Albanian Emigrants. Relevant amendments in the Law for Consular services and other acts pursuant and in compliance with the amendments occurring with the Electoral Code.
4. Drafting and approval of by laws pursuant to article 13 and 14 of the Law on Emigration –Drafting and approval of a decision of the CoM "On voluntary return promotion of Albanian emigrants and their re-integration in the country ".
5. Amendment of the Law on Civil Status and Decision no. 365, 2000 " For the establishment and maintenance of the National Civil Status register and regulations for usage and technicalities of the e-network" aiming at the inclusion of emigrant contingency in this register.
6. Approval of the Integral Law for Employment Promotion.
7. Amendment of the Law on Social Insurances.

#### ***Prerequisites***

Approval of the Action Plan on the Alignment of the Legislation with the EU Acquis where the relevant standards will be identified.

#### ***Responsible Body***

- 1.MoLSA;
- 2.MoES;
- 3.MoLSA, MoFA; CEC.
- 4.MoLSA;
5. MoLGD;
- 6.MoLSA;
- 7.MoLSA

#### ***Implementing Body***

- 1.MoLSA;
- 2.MoES;
- 3.MoLSA, MoFA, CEC.
- 4.MoLSA;

5. MoLGD;
6. MoLSA;
7. MoLSA.

***Deadline (duration/finalization)***

1. December 2005.
2. 2006;
3. Finalization of the study 2006-2007; Legal Amendments and provision of necessary infrastructure- 2007-2008.
4. December 2006;
5. 2006;
6. June 2006;
7. 2005.

***Human Resources***

Existing resources.

***Total Budget***

Existing resources for all the measures apart the activity No.3- the Study costs 20.000 Euro.

***Possible benchmarks***

Relevant amendments of law and by laws

***Status of implementation***

1. Partially implemented.
2. Not implemented.
3. Not implemented.
4. Not implemented.
5. Not implemented.
6. Implemented.
7. Implemented.

***Remarks***

1. The draft law on the amendments to the Law no. 9034/2003 “On emigration of Albanian citizens for employment purposes”, following the comments made by the Albanian and international institutions, is approved by the Albanian Government. Currently, the draft law is waiting to be discussed in the relevant Parliamentary Commissions, and then to be proceeded with the approval in a plenary session of the Parliament.
2. The Ministry of Education and Science did not amend the law. Case by case interventions has been applied.
3. The study is not carried out, but in the new Law on Emigration, approved in October 2006, it is included the right of the emigrants to vote. The amendment to the Electoral Code is ongoing, but it is not clear yet if a provision on the

vote of the emigrants will be included. However, the political will to allow the emigrants to vote is very feeble.

4. -
5. The Law is not amended.
6. The integral law for Employment promotion is approved.
7. The Social Insurance Law is amended.

### ***Recommendations***

1. Ministry of Education and Science should establish an internal working group to draft the amendments to the Law On Pre-University Education;
2. Ministry of Labour, Social Affairs and Equal Opportunities, the Ministry of Foreign Affairs and the Central Electoral Commission should cooperate to define the terms of reference for the study on the identification of facilities enabling emigrants to vote abroad;
3. Ministry of Labour, Social Affairs and Equal Opportunities should accelerate the procedures for approving the by-laws related to the newly approved Law on Emigration;
4. Ministry of Interior, in cooperation with the Ministry of Labour, Social Affairs and Equal Opportunities and the Ministry of Foreign Affairs should work on the revision of the Law on Civil Status and Decision no. 365, 2000 “On the establishment and maintenance of the National Civil Status Register and regulations for usage and technicalities of the e-network” aiming at including emigrant contingency in this register.



### ***Measure 59***

Approval of new laws and amendment of existing ones in immigration area, aiming at the approximation with the Acquis Communautaire.

#### ***Activity***

1. Approval of Amendments for the Law on Foreigners in compliance with EU Acquis requirements in migration area.
2. Amendment, basing and pursuant to the Law on Foreigners, of CoMD no. 439/2000 On Entry stay and treatment of foreigners in Republic Of Albania, in order for it to be in compliance with Community Acquis requirements in migration area.
3. Drafting and approval of amendments in the joint Instruction of MoPO and MoFA "On Entry, Residence and Treatment of foreigners in Republic of Albania"
4. Drafting and approval of amendments in the decision of the CoM no. 262/2000 On issuance of work permits to foreign citizens, on the bases of and pursuant to the Law on Foreigners.
5. Drafting and approval of Amendments in the Directive of the Minister of MoLSA No. 786/2001 on the basis and pursuant to the amendments of decision of CoM 786/2001 as well as the Law on Foreigners.
6. Drafting of the legal acts that will regulate the procedures for expulsion and removal.

#### ***Prerequisites***

1. Approval of the Action Plan on Legislation Alignment where acts of Community Acquis should be included, in order to be taken into consideration in the framework of legislative reform.
2. Approval of amendments for the Law on Foreigners.
3. Approval of the Draft Law On the amendments for the Law on Foreigners.
4. Approval of the Draft Law On the amendments for the Law on Foreigners.
5. Approval of the Draft Law On the amendments for the Law on Foreigners.

#### ***Responsible Body***

1. MoLSA, MoPO, MoFA.
2. MoLSA, MoPO, MoFA.
3. MoPO, MoFA.
4. MoLSA
5. MoLSA
6. MoPO

#### ***Implementing Body***

1. MoLSA, MoPO, MoFA.
2. MoLSA, MoPO, MoFA.
3. MoPO, MoFA.
4. MoLSA
5. MoLSA
6. MoPO

***Deadline (duration/finalization)***

1. Undefined, depending on approval in the Parliament.
2. Depending on approval of amendments of the Law On Foreigners.
3. Depending on the approval of the draft law On the amendments of the Law on Foreigners.
4. 2006 (Depending on the approval of the draft law On the amendments of the Law on Foreigners).
5. As above.
6. 2006

***Human Resources***

Existing Human resources

***Total Budget***

Existing budget resources

***Possible benchmarks***

Approval of new Laws and the amendment to the existing ones

***Status of implementation***

1. Partially implemented.
2. Not implemented.
3. Not implemented.
4. Not implemented.
5. Not implemented.
6. Not implemented.

***Remarks***

1. The draft law “On some amendments to the Law on Foreigners” is prepared by the Ministry of Labour, Social Affairs and Equal Opportunities in cooperation with the Ministry of Interior and the Ministry of Justice. The draft will be submitted for comments firstly to the Directorate of Migration to the Ministry of Labour, Social Affairs and Equal Opportunities, and then to all other Albanian and international institutions.
- 2-6 All above-mentioned amendments to the legal framework on the immigration area depend on the approval of the Law on Foreigners, foreseen to take place by the end of 2006.

***Recommendations***

-

**Measure 60**

Drafting of practical handbooks related to migration issues, and provision of officials dealing directly with practical enforcement of migration legislation, with the former handbooks.

**Activity**

1. Identification of by laws and laws enforced practically from each of the institutions dealing with foreigners and emigrants.
2. Provision of all the officials working with practices related to foreigners/emigrants, at local and central level, with these handbooks.

**Prerequisites**

-

**Responsible Body**

MoLSA, MoPO, MoFA.

**Implementing Body**

MoLSA, MoPO, MoFA.

**Deadline (duration/finalization)**

December-06

**Human Resources**

Existing Human resources

**Total Budget**

5000 Euro

**Possible benchmarks**

Publication of handbooks. Number of handbooks to be disseminated to central / regional/local offices

**Status of implementation**

1. *Beyond the scope of this report.*
2. *Beyond the scope of this report.*

**Remarks**

-

**Recommendations**

-

**Measure 61**

Organization of continuous Trainings in the field of internal and international migration legislation, for the officials dealing with migratory issues

**Activity**

Identification of the experts needing legal training, drafting of the training Modula in this area, as well as cooperation with ITAP for the inclusion of such a Modula in the trainings delivered to civil servants.

**Prerequisites**

-

**Responsible Body**

ITAP

**Implementing Body**

MoLSA, MoPO, MoFA, ITAP.

**Deadline (duration/finalization)**

January 2006 and ongoing

**Human Resources**

Existing Resources.

**Total Budget**

12,500 Euro.

**Possible benchmarks**

Number of Trainings

**Status of implementation**

Not implemented.

**Remarks**

Neither the Department of Public Administration (DAP) nor the Institute for the Training of the Public Administration (ITAP) were aware about the Strategy and its Action Plan. No activities were planned in 2006, but ITAP has the will to accomplish this task, and it is planning to carry out the training activities in 2007. The coordination and cooperation between ITAP and the line ministries was no doubt missing. ITAP stated that the funds for the implementation of such activities are available.

**Recommendations**

1. ITAP should organise bilateral meetings with the line ministries, in order to collect information on their training needs in the area of migration;
2. ITAP should include the training on migration in its training programme for 2007;

3. ITAP should hire an expert for preparing the curricula for the training to be conducted.

***D. Institutional framework and means for migration policy, in particular the implementation of the National Strategy for Migration.***

***Measure 62***

Strengthening of institutional capacities at central level for a better management of migration policy.

***Activity***

1. Creation of an Agency for Migration attached to the Prime Minister Office, charged with the conception and coordination immigration, emigration and Diaspora policies (Head will be appointed by the Prime Minister; board of the Agency will comprise representatives of all the ministries in charge of the implementation of the policy, in particular MoLSA, MoPO, MoFA as well as MoES, MoCYS, MoLGD, LGU, Mo Economy, etc; recruitment of supplementary needed personal for the agency);
2. Transfer of the Institute of Diaspora from the MoFA to the Agency mentioned under point 1;
3. Enlargement of the competencies of the existing sector on emigration to return and reintegration in the MoLSA and recruitment of supplementary human resources of the Directorate on migration
4. Capacity building for the Department of Border and Migration in MoPO by creating a new sector or return and readmission and recruitment of supplementary human resources.
5. Recruitment of supplementary human resources for the 3 sectors of the department of consular services in the MoFA by Order of the Prime Minister.

***Prerequisites***

-

***Responsible Body***

- 1 and 2: Prime Minister  
3: MoLSA  
4: MoPO  
5: MoFA

***Implementing Body***

- 1 and 2: Prime Minister  
3: MoLSA  
4: MoPO  
5: MoFA

***Deadline (duration/finalization)***

- 1: 2005/ 2006  
2: 2006  
3: 2006  
4: 2006

5: 2006

***Human Resources***

- 1/2. To be calculated taking into account the number of persons transferred from the Institute to the Agency
3. Recruitment of 4 specialists.
4. Recruitment of 4 specialists.
5. Recruitment of 5 specialists

***Total Budget***

1. To be calculated.
3. 24.000 Euro per year, total 120.000 Euro
4. 35.000 Euro (staff + other means) per year, total 175.000.
5. 30.000 Euro per year, total 150.000 Euro.

***Possible benchmarks***

Number of supplementary persons recruited

***Status of implementation***

1. Not implemented.
2. Not implemented.
3. Not implemented.
4. Partially implemented.
5. Not implemented.

***Remarks***

1. Although the Government decided not to create the said Agency, the National Action Plan was not amended accordingly. However, by the Decision no. 194, dated 5 April 2006, the Government provided the establishment of the National Institute of Diaspora, maintaining this one at the same hierarchical position with the existing Institute of Diaspora, and then under the Minister of Foreign Affairs. Competences mostly on Diaspora and emigration issues were granted to this Institute. In this way, the nature of the Action Plan's measure was betrayed first of all from the perspective of the hierarchical position that was originally thought for the Agency. In fact, the Agency was foreseen to be attached to the Prime Minister Office, and then as a body *super partes*, while the Institute remains under the Ministry of Foreign Affairs, then at the same level of all other ministries. Concerning the Institute's competences, it also seems to be stricter and in contradiction with the ones foreseen in the Strategy for the Agency. Finally, from the perspective of the human resources, the personnel of the Institute is reduced rather than enlarged. Furthermore, the board of the Institute has not been established yet, and no real cooperation exists currently between the Institute and the other ministries and institutions. Furthermore, in practice, the Institute does not recognise its competence on issues other than Diaspora. It is worrying fact that such a Government

decision did not take into consideration a National Strategy in force at the time when the decision was made, and that no official amendment is made to the Action Plan.

2. See remarks in point 1.
3. Not only that no additional competences were granted to the sector concerned, but also the staff number was reduced.
4. A new sector is created, and the recruitment of additional human resources is already planned for 2007.
5. No additional personnel have been recruited in any of the three sectors of the consular services department in MoFA.

### ***Recommendations***

1. Inter-ministerial Committee on Migration should either amend the Action Plan, reflecting the content of the Council of Ministers' decision no. 194, dated 5 April 2006, or should make sure that the competence, the authority and the human resources of the anticipated Agency are transferred to the newly established National Institute of Diaspora;
2. National Institute for Diaspora should be transferred under the Prime Minister authority;
3. National Institute of Diaspora should accelerate the procedures for the establishment of its board;
4. Minister of Labour, Social Affairs and Equal Opportunities, in cooperation with the Department of the Public Administration, should consider the enlargement of the competencies of the existing sector on emigration to return and reintegration, as well as the recruitment of supplementary human resources in the Directorate on Migration;
5. Ministry of Foreign Affairs, in cooperation with the Department of the Public Administration, should prepare the job description for the new staff to be hired in the three sectors of the consular services department, and to foresee the necessary budget for them.



**Measure 63**

Strengthening of capacities for legal advice in the directorates in charge of migration of MoLSA, MoPO and MoFA.

**Activity**

Recruitment of a person specialized in migration law in each of the three concerned Directorates.

**Prerequisites**

-

**Responsible Body**

MoLSA, MoFA, MoPO.

**Implementing Body**

MoLSA, MoFA, MoPO.

**Deadline (duration/finalization)**

2006

**Human Resources**

3 Legal Experts.

**Total Budget**

90,000 Euro.

**Possible benchmarks**

3 additional persons.

**Status of implementation**

Not implemented.

**Remarks**

In different Ministries, the Government policy has been oriented towards the staff reduction rather than towards its increase. Only the Border Management and Migration Police Directorate to the Ministry of Interior has already planned and approved in principle the hiring of a lawyer specialised in internal and international migration law, and it is likely to start the work by February 2007. No other increasing in the staff was made in the other two ministries, respectively Ministry of Labour, Social Affairs and Equal Opportunities and Ministry of Foreign Affairs.

**Recommendations**

1. Ministry of Labour, Social Affairs and Equal Opportunities and the Ministry of Foreign affairs should foresee the necessary budget to cover the new position for a person specialized in migration law;

2. The two above-mentioned Ministries, in cooperation with the Department of the Public Administration, should define the job description for the new staff to be hired.

**Measure 64**

Enhancement of knowledge and expertise in the fields of emigration and immigration

**Activity**

Creation of general courses on emigration and of specialised courses on immigration law, covering Albanian and European immigration law, and inclusion of these courses in the relevant programmes of the main Albanian universities

**Prerequisites**

Training of professors.

**Responsible Body**

MoES

**Implementing Body**

MoES, Universities

**Deadline (duration/finalization)**

2006

**Human Resources**

Existing Human resources

**Total Budget**

Existing Budget.

**Possible benchmarks**

-

**Status of implementation**

Not implemented.

**Remarks**

The competent department of the Ministry of Education and Science was not informed of the presence of the Strategy, and consequently of these activities. Therefore, nothing is done in this area.

**Recommendations**

1. Ministry of Education should establish a curricula commission on migration-related issues for the development of general courses on emigration, as well as of the specialised courses on immigration law. The curricula commission might be composed of university teachers/professors and representatives of the Ministry of Education and Science, the Ministry of Labour, Social Affairs and Equal Opportunities, and the Ministry of Foreign Affairs.

## ***Measure 65***

Monitoring of the National Action Plan on Migration

### ***Activity***

Interim reporting every 6 months, and final reporting at the end of 2010 about the progress and delays in the implementation of the National Action Plan on Migration, to the Inter-ministerial Committee on Migration

### ***Prerequisites***

-

### ***Responsible Body***

Prime Minister.

### ***Implementing Body***

Agency For Migration

### ***Deadline (duration/finalization)***

First report end 2005 and then at the end of every semester.

### ***Human Resources***

Existing Human resources

### ***Total Budget***

Existing budget

### ***Possible benchmarks***

9 reports every 6 months and a final one

### ***Status of implementation***

Not implemented.

### ***Remarks***

No institution was officially charged with the duty of monitoring the implementation of the National Action Plan on Migration. Logically, the institution that in the perspective of the new Government's policy has officially replaced the anticipated Agency for Migration, the National Institute for Diaspora, should have been charged also with the monitoring of the implementation of the Action Plan. On the contrary, in the decision establishing this Institute, among its competences, the function of monitoring was not mentioned. Therefore, no reports on the status of implementation of the Action Plan have ever been drafted. The experts consider that the current situation of impasse in the implementation of the Strategy could have been avoided if such a monitoring body was duly established.

### ***Recommendations***

1. Inter-ministerial Committee on Migration, chaired by the deputy Prime Minister, should identify as soon as possible the body competent for monitoring the implementation of the National Action Plan on Migration.
2. With regard to the pending of the choice and the decision of the Albanian Government of the body to fulfil this function, the experts think that the Ministry of Labour, Social Affairs and Equal Opportunities has the capacities to carry out such an activity in consideration of its competence in this area, and of the work performed by this Ministry to date. If such, this Ministry, particularly the Directorate of Migration, will need an increase in the financial and human resources.

**Measure 66**

Management of the electronic network of foreign and Albanian researchers specialized in migration from, to, through Albania and of officials of the ministries in charge of the policies on immigration, emigration and Diaspora.

**Activity**

Completion of the website with the names and details of the officials of all the ministries in charge of the policies on emigration and immigration

**Prerequisites**

-

**Responsible Body**

The Agency for Migration.

**Implementing Body**

All ministries in charge of or involved in immigration, emigration and Diaspora policies.

**Deadline (duration finalization)**

End 2005

**Human Resources**

Existing Human resources

**Total Budget**

Existing budget

**Possible benchmarks**

Number of contact persons introduced in the websites

**Status of implementation**

Not implemented.

**Remarks**

The non-establishment of the National Agency for Migration resulted in a gap for this measure, and it remains without a responsible body. As a matter of fact, the newly established National Institute for Diaspora is not officially in charge of the implementation of this measure, notably considering that the activity foreseen does not enter into its sphere of competence.

**Recommendations**

1. Inter-ministerial Committee on Migration should identify the competent body for the implementation of this measure. Experts think that the Ministry of Labour, Social Affairs and Equal Opportunities has the capacities to carry out such an activity in consideration of its competence in this area, and of the work performed

by this Ministry so far. If it is the case, this Ministry, in particular the Directorate of Migration will need an increase in the financial and human resources.

## FINAL RECOMMENDATIONS

1. In the end of the monitoring process of the implementation of the National Action Plan on Migration, and as a consequence of the National Strategy on Migration, on the basis of which this plan is formulated, as a general conclusion may be accepted that the implementation of the measures foreseen in this document has been poor. The factors that have affected in such result have been, no doubt, countless and diversified. But, despite their nature or their impact intensity on the result, one thing is clear: the result, due to the fact that migration is one of the most important and harsh phenomenon for the Albanian society, and due to this reason it has one of the most sensitive public policies, should concern the Albanian citizens for this poor performance. In addition, due to its complex nature and its direct or indirect implications in many areas, migration represents, among others, a very sensitive phenomenon for other European countries as well, despite the geographic distance with Albania, becoming in this way one of the “hottest” issues in our relations with the European Union;
2. The key reason that has directly affected the level of implementation has been the lack of a clear will in the implementation of the top strategic documents in this area, and in particular of the National Strategy on Migration and the National Action Plan;
3. Thus, the Inter-ministerial Committee on Migration, which remains one of the bodies of paramount importance in this area, has never convened after the approval of the National Action Plan on Migration – May 2005, whereas it should have occurred not less than once every six months;
4. Such situation, accompanied with huge changes in the Government’s structure (merging of Ministries, closing of Minister of State, changes in the structures, staff reduction, recruitment of new officials, etc.), and such changes affected also the structures and the staff involved in the preparation of those documents, which as a result led to confusion in the implementation of the measures foreseen in the National Action Plan on Migration, such was the case where half of the institutions committed in this process showed full lack of knowledge on their existence and in some cases their intentional negligence considering them as products of the previous government, placing in question in this way the crucial constitutional principle of state continuity;
5. The decisions taken during this period by the Government, in particular the key ones, added more confusion to the attitude toward those documents. Thus, starting from the key goal of the National Strategy on Migration, which was to provide the Albanian State with a managing mechanism of the migratory phenomenon, the main elements to be pointed out would be those of policy-making, coordination and monitoring. In this direction, according to the National Action Plan on Migration it was expected the establishment of the Institute or National Agency



on Diaspora and Migration to the Prime Minister's office, which would play the leading role in the implementation process of the National Action Plan on Migration, being granted full competencies related to the above-stated directions. This decision was taken by the government, but with a different content from the one foreseen in the National Action Plan on Migration. NID will continue to remain under the Ministry of Foreign Affairs, i.e. at the same hierarchical level with all other institutions, provided only with policy-making competencies, although its structure, fully related to the problems of Diaspora, does not make possible neither the implementation of this task, nor the assessment of the compliance of the National Strategy on Migration with other strategies, the latter impossible due to the lack of staffing and experience in this area. At the same time, this decision, although in contradiction with the spirit of the National Action Plan on Migration, was not accompanied with any change in the latter, leading in this way to the freezing of the process;

6. In those circumstances, there is no body or institution in the Albanian State leader in the implementation process of the National Strategy on Migration and National Action Plan on Migration (as foreseen in the National Action Plan on Migration), which should carry out the coordination and the monitoring of this process. Those two directions, vital for the success of this policy, are currently completely uncovered;
7. Also, during those years, the policy of reducing the expenses and a smaller administration, although at the core positive, was in open contradiction with many of the measures foreseen in the National Action Plan on Migration, whose implementation requires strengthening and increasing capacities and adding of financial resources. The implementation of such policy requires in particular a great attention and vigilance, which in the concrete cases did not occurred, a part of the measures or activities foreseen in the National Action Plan on Migration are not included in the annual working plan and neither are foreseen in the state budget for the respective institutions;
8. As a conclusion, we can say that although not declared at any moment as invalid by the Albanian Government, the National Strategy on Migration and National Action Plan on Migration are found along their implementation under a strong negative impact of two decisive factors; from one hand their implementation in contradiction with the spirit of those documents, and in particular the case of NID left the process without coordination and monitoring and on the other hand the reduction policy of the Government, which did not strengthen the capacities requested, but some cases reduced them drastically, either the financial resources needed or human resources. In those circumstances, the experts deems as reasonable to recommend as follows:
9. **Holding of a clear position by the Albanian Government with regard to the future of the implementation of the National Strategy on Migration and National Action Plan on Migration and of their content.** Such position should

be made known to all institutions or organizations directly or indirectly involved in this process. In particular, this position should be made known to the donors that invested financially and technically in the preparation and formulation of the two above-stated documents, and which, in the case of the European Commission, have foreseen considerable funds exactly for their implementation;

10. **Inter-ministerial Committee on Migration should start to re-convene on regular basis, as an consulting structure of the Council of Ministers**, because in the current situation, at the hierarchical level, is the highest body that takes care about the progress in treating the migratory phenomenon in Albania;
11. **The Government should define as soon as possible, the institution or institutions, which will materialize the coordination and monitoring of the implementation process of the National Action Plan on Migration, and as a consequence of the National Strategy on Migration;**
12. **Until then**, considering the function, competencies and the great expertise in this area, the experts deem **that this role might be assigned to the MoLSAEO. In this context, it is logical that this Ministry should have also the exclusive competency in policy-making in the area of migration and the approximation of the different strategies with NSM. In those circumstances, NID should hold the exclusive role in the issues and problems related to Diaspora;**
13. With regard to above, **it is necessary to make an amendment to the Decision of the Council of Ministers No.194, dated 5.4.2006 “On establishment and functioning of the National Institute of Diaspora to the Ministry of Foreign Affairs in the Republic of Albania”, an amendment which should reflect the recommendation made in the point 12. In addition in this direction the human and financial capacities should be strengthen in the Directorate of Migration Policies in the MoLSAEO.** The above-mentioned changes are in full compliance with the spirit of the National Strategy on Migration and the National Action Plan on Migration, in whose focus is the identification and vesting with full capacities of policy-making, coordinating and monitoring to a leader institution, which will elaborate, lead and monitor the complex and multi-disciplinary implementation process of the National Strategy on Migration and the National Action Plan on Migration;
14. At the same time and in full compliance with EU requirement on respecting its criteria on the distribution of the funds approved by CARDS Program 2004, 2005, **the Albanian Government should plan in the state budget necessary funds for the implementation of the measures stipulated in the National Action Plan on Migration for every institution committed in this process;**
15. **The relation smaller administration – efficiency should be carefully studied, and in this context the position toward the issue of human capacities should be revised in particular in some of the main structures in the implementation**

**process of the National Action Plan on Migration, such as for example NID and the Directorate of Consulate and Visas Services to the MoFA, Directorate of Border Management and Migration Police to the Ministry of Interior;**

16. **And finally, the work should be focused on intensifying the cooperation with the international institutions and organizations, and the civil society in order to insure the continuity of the financial and technical support which is significantly needed for the successful implementation of such process;**
17. As a conclusion, it should be accepted that those documents such as National Strategy on Migration and the National Action Plan on Migration are both very complex, because they treat in highly disciplinary way a very complex phenomenon such as migration. It is true that the Albanian State does not have any long experience in formulation and implementation of such strategic documents, which is known also in our case. But however, it is important that the proper will and determination for their implementation exist, because at the end of the day the efforts required by such thing, no doubt, are many times smaller than the benefits got by the citizen, the society, and the Albanian State, if, at the end of the day, it is made possible the transforming of this social wound into an authentic and advantageous development tool.

## **LIST OF ABBREVIATIONS**

<b>CARDS</b>	<b>Community Assistance for Reconstruction, Development and Stabilisation</b>
<b>CEC</b>	<b>Central Electoral Commission</b>
<b>CoM</b>	<b>Council of Ministers</b>
<b>EC</b>	<b>European Commission</b>
<b>EIT</b>	<b>European Institute of Tirana</b>
<b>ERLAI</b>	<b>European Group of Regional and Local Authorities in the field of Immigration</b>
<b>EU</b>	<b>European Union</b>
<b>IMCM</b>	<b>Inter-ministerial Committee on Migration</b>
<b>INSTAT</b>	<b>Institute of Statistics</b>
<b>IOM</b>	<b>International Organization for Migration</b>
<b>ISS</b>	<b>Institute for Social Security</b>
<b>ITPA</b>	<b>Institute for the Training of the Public Administration</b>
<b>MoAFPC</b>	<b>Ministry of Agriculture, Food and Protection of the Consumers</b>
<b>MoCYS</b>	<b>Ministry of Culture, Youth and Sport</b>
<b>MoEI</b>	<b>Ministry of European Integration</b>
<b>MoES</b>	<b>Ministry of Education and Science</b>
<b>MoETE</b>	<b>Ministry of Economy, Trade and Energy</b>
<b>MoFA</b>	<b>Ministry of Foreign Affairs</b>
<b>MoI</b>	<b>Ministry of Integration</b>
<b>MoIN</b>	<b>Ministry of Interior</b>
<b>MoLGD</b>	<b>Ministry of Local Government and Decentralisation</b>

<b>MoLSA</b>	<b>Ministry of Labour and Social Affairs</b>
<b>MoLSAEO</b>	<b>Ministry of Labour, Social Affairs and Equal Opportunities</b>
<b>MoPO</b>	<b>Ministry of Public Order</b>
<b>MoPWTT</b>	<b>Ministry of Public Works, Transport and Telecommunications</b>
<b>MoS</b>	<b>Ministry of State</b>
<b>MoT</b>	<b>Ministry of Tourism</b>
<b>MoTCYS</b>	<b>Ministry of Tourism, Culture, Youth and Sport</b>
<b>NAPM</b>	<b>National Action Plan for Migration</b>
<b>NES</b>	<b>National Employment Service</b>
<b>NID</b>	<b>National Institute of Diaspora</b>
<b>NSM</b>	<b>National Strategy on Migration</b>
<b>NSS</b>	<b>National Social Service</b>
<b>PA</b>	<b>People's Advocate</b>
<b>RTVSH</b>	<b>Albanian Radio Television</b>
<b>SAA</b>	<b>Stabilisation and Association Agreement</b>
<b>UNDP</b>	<b>United Nations Development Program</b>